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Sedona, Arizona 86336
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December 14, 2009

Arizona Department of Environmental Quality
Surface Water Section / Stormwater & General Permits Unit (5415A-1)
1110 West Washington Street
Phoenix, Arizona 85007

Attention: Ms. Joanie M. Rhyner, Stormwater and General Permits, Water Section Manager
SUBJECT: CITY OF SEDONA – 2009 ANNUAL SMALL MS4 REPORT AZPDES PERMIT NO. AZG2002-002 MS42002-32

I am submitting with this letter a copy of the City's 2008/2009 Annual Small MS4 Report.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Charles Mosley, City Engineer
Charles Mosley

Sincerely,

Charles Mosley

Charles Mosley, PE MPA
Director of Public Works/City Engineer
City of Sedona

Enclosure: City of Sedona 2008/2009 Annual Report & associated attachments

CM/dwp
cc: Tim Ernster, City Manager
Michael Goimarac, City Attorney
File: ADEQ Stormwater SDMP

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Small MS4 Annual Report Form

Please refer to the attached instructions as you prepare your annual report.

A. General Information

Name of MS4: City of Sedona

Contact Name: Charles Mosley, PE

Telephone Number: (928) 204-7132 Email Address: cmosley@sedonaAZ.gov

Annual Report Period:
- ☐ December 19, 2002 – June 30, 2004
- ☐ July 1, 2004 – June 30, 2005
- ☐ July 1, 2007 – June 30, 2008
- ☐ July 1, 2005 – June 30, 2006
- ☐ July 1, 2006 – June 30, 2007
- ☒ July 1, 2008 – June 30, 2009

B. SWMP Modifications and Additional Information. Attach a brief explanation if you check "yes" to any of the following statements.

1.	Changes have been made or are proposed to the SWMP since the last annual report, including changes in response to ADEQ's review.	YES ☐	NO ☒
2.	The MS4 has annexed lands.	YES ☐	NO ☒
3a.	The MS4 discharges directly to an impaired water.	YES ☒	NO ☐
3b.	A water within 10 miles of the MS4's jurisdiction has been identified as impaired.	YES ☒	NO ☐
4a.	The MS4 discharges directly to water for which a TMDL has been established.	YES ☐	NO ☒
4b.	A TMDL has been established for a water within 10 miles of the MS4's jurisdiction.	YES ☐	NO ☒
5.	The MS4 has conducted analytical monitoring of stormwater quality.	YES ☐	NO ☒
6.	The MS4 is relying on another government entity to satisfy some permit obligations.	YES ☐	NO ☒

C. Stormwater Management Program Status. Provide the status of every BMP and measurable goal in your SWMP as described in the instructions.

TABLE 1

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Collect information	City staff will contact agencies to get information and review web pages at least on semi-annual basis to get most up-to-date information.		April 2004	In progress. Other web pages were reviewed in preparation of community events: 4/18 Earth Day, 4/23 Water Wise Day, Public Works Fair 4/18. Information was on display at the Sedona Public Library for Public Works Week from 5/15 to 5/26. The City made contact with the City of Flagstaff regarding trash pick up during this reporting period.
Public Education and Outreach	Develop a stormwater web page	Develop a stormwater web page		July 2004	In progress. City of Sedona maintains a section for this issue on its web page under Public Works > Stormwater in Sedona. The site visit count for the web page on September 19, 2008, was 1020. On November 9, 2009, the count was 1796, and on November 24, 2009, the count was 1855. The updates to the web page for FY 08/09 included the 2008 Annual Report and information regarding disposal of household hazardous waste.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Use public media to disseminate information	Use public media to disseminate information		April 2004	In progress. The public works department has placed information in the Sedona Red Rock News. Articles were published in August 2008 and May 2009. The public was also informed about Public Works Week activities through which information about stormwater was disseminated. Stormwater related articles were also published in the e-news SedonaBiz. In March 2009, the City of Sedona published and mailed to approx. 6000 residents, our Community Connection Newsletter (attached), which had an article about Spring Cleaning - Stormwater Pollution Prevention on page 6.
Public Education and Outreach	Develop a Speaker's Bureau	Creation of a list of speakers and topics and dissemination of the list to organizations likely to use speakers		Jan 2004	Not started. Although some topics have been developed and the web site notifies people that speakers are available, no one has contacted us for talk. However, on 5/9, a local EPA retiree offered a free workshop for the public on "Addressing Stormwater Pollution Issues in Sedona". This workshop was advertised in the Sedona Red Rock News.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Tributary Signage	Design and production of signage		Sept. 2004	Completed. Posting of signs at strategic locations. End Date June 2005: 25 signs were posted around community. The City has additional signs in storage to replace signs if lost or destroyed. There are plans to replace faded signs in FY 09/10.
Public Education and Outreach	Outreach brochures	Develop brochures and fact sheets on stormwater issues targeted to specific audiences		Jan 2004	Completed. City developed brochures targeted to residents, contractors, and visitors in 2005. The resident and contractor brochures were handed out at the Earth day and Public Works Fair events. They are also available in several lobbies in the City campus (city council chambers, Finance area where people pay sewer bills, and Community Development/Public Works building). The contractor brochure is available in the Community development/Public Works building.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Use media outlets and mail service to disseminate stormwater facts	Write three articles per year on stormwater for publication in local newspaper. Investigate disseminating stormwater issues through mail supplements and other media.		Jan 2004	Ongoing. Stormwater was one of the featured issues during this year's Public Works outreach in May. Three articles were published in the Sedona Red Rock News during this reporting period, they appeared in August 2008, along with two in May 2009. The City places copies of its storm water brochure for residents in several of the City buildings for the public to pick up. 158 brochures were mailed to local contractors with a letter dated 12/31/2008, that reiterated information about the City Stormwater Ordinance (attached). 5120 brochures were mailed to residents in March 2008, and 9229 brochures were mailed to residents in July 2009. In March 2009, the City of Sedona published and mailed to approx. 6000 residents, a Community Connection Newsletter (attached) which had an article about Spring Cleaning - Stormwater Pollution Prevention on page 6.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Participation and Involvement	Revised FY 08/09: Encourage public participation with trash collection days	Investigate creation of a trash collection day 2007 addition – Request information from homeowners associations regarding neighborhood trash collection days. Added in 2008- Participate in at least 2 trash pick-up events.	X	Jan 2004	There does not seem to be much interest from neighboring cities at this time. This goal was revised in the August 07-management plan revision to require as a measurable goal that Neighborhood Associations be contacted regarding their trash days. 32 Associations were contacted in October 2008, all except one did not have a trash collection day. The City also did a survey in September 2008 regarding the general issue of trash pick-up. It indicated that about half of the responding Associations believed that one-mile or less was the preferred distance to go to dump lawn clippings. In response to a June 2006 letter from ADEQ, another BMP was added to the Revised 2008 Management Plan. It should be noted that in the City of Sedona and surrounding areas, a non-profit volunteer organization known as Keep Sedona Beautiful has been picking up roadside ditch trash for over 30 years on a weekly basis. The city has recognized those accomplishments and worked with this organization on a number of occasions throughout the years.

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					On Sept. 27, 2008, there was a National Public Lands Day Event to pick up trash at Sunset Park in West Sedona. On October 11, 2008, the City of Sedona, in conjunction with ADEQ, hosted a free household hazardous waste drop-off event for City of Sedona residents at the Sedona Red Rock High School. In Oct. 2008, the City started a Neighborhood Cleanup Program by offering one "roll-off" dumpster placement per month in a requesting subdivision. For FY 08/09, requests were made from five subdivisions, and a dumpster was placed over a weekend in each of the five corresponding months for those requests. In January 2009, the City sponsored a Christmas tree collection at the corner of SR 89A and Saddle Rock Circle, as it has been doing for over 10 years. The City participated in a yard waste clean-up day with the Sedona Fire District on May 15, 16 and 17, 2009. On May 9, a local EPA retiree offered a free workshop for the public on "Addressing Stormwater Pollution Issues in Sedona". The City contributes over $27,000 in

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					annual funding to the Sedona Recycles center on Shelby Drive to which many citizens take bottles, cardboard, glass and other recyclable material.
Public Participation and Involvement	Investigate development of regular programs to raise awareness	Form a City Staff Action Group Provide a public response element to the City website for storm water Added 2007 - Hold one public meeting annually to receive comments on stormwater quality issues Post NOI and SWMP on the City website. Added 2008 – Work with Sedona Recycles to develop a program to pick up material around the recycle site. There		Jan 2004	Stormwater was one of the featured issues at this year's Public Works fair in May. Formation of a Stormwater Action Group. The Group started meeting in August 2007. City staff has been participating in a Stormwater Action Group. The Group reviewed the revised Stormwater Management Plan and the Stormwater ordianance. The Group has reviewed mailings and made program recommendations. The group met once every 6 weeks during this reporting period. The public has the opportunity to respond or make comments related to stormwater by using email links to City staff from the City website. The City placed an article in the Sedona Red Rock News in May 2009 requesting public comment on the Stormwater Quality Management

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		are drainages adjacent to the site. Seek out sponsors and partnerships to increase public awareness of stormwater quality issues.			Program. Comments were received from two individuals and their comments were appropriately addressed. The NOI and SWMP are on the City website. The staff at the Sedona Recycles Center on Shelby Drive is now educated on the importance of keeping the area and adjacent channels clean. They have been doing a good job on this detail. No partnerships or sponsors have been developed yet, although several public activities such as earth day are being used to get the message out.
Illicit Discharge and Elimination	Develop City Ordinance	Develop City Ordinance		Jan. 2004	Complete. A new ordinance was approved by the City Council on November 13, 2007 (City Code Section 14) . Provisions regarding stormwater discharges were included in an update to provisions of City Code Section 7 approved on June 10, 2008.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge and Elimination	Identify locations of outfalls to major water bodies	Identify locations of outfalls to major water bodies		February 2003	Completed. This is a task under the City's Storm Water Master Plan. End date March 2005. Ongoing. City is proceeding to inspect outfalls beginning October 2007. Outfalls to Oak Creek along SR 179 from Chapel Road to the south end of the Sedona urbanized area were inspected. These inspections included the Chapel Residential Area as well.
Illicit Discharge and Elimination	Implement Inspection Program	Implement Inspection Program		Jul 2006	City is proceeding to inspect outfalls beginning October 2007. See item above.
Illicit Discharge and Elimination	Eliminate Illicit Discharges	Eliminate Illicit Discharges		Jul 2007	This is an ongoing task: Enforce adopted ordinance. City has sent out notice to all of City in this reporting period. Also, City Council had authorized hiring an Environmental Inspector in FY 08/09. Although, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position was not filled. The City is enforcing provisions of Land Development Code and City code that it adopted regarding grading and erosion controls, and covered loads.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					Late June 2008: A small, private sewer spill occurred at Kokopelli Suites at 3119 W. SR 89A. The spill was immediately cleaned up and the pumps were replaced. We were assured that this was the first time such as incident occurred in their 11 years of operation. 10/31/08: ADEQ NRO was notified of a sewer spill that occurred this day as a result of ADOT's SR 179 Project contractor (SWAP) unknowingly dislodging a manhole lid and plugging the line with dirt and rocks. This occurred at SR 179/Bowstring Drive. Approx. 1000 gallons was released and contained on-site. The three upstream pump stations were shut down and pumped via pumper trucks. City staff decontaminated the area. 11/25/08: The Public Works Dept. was notified and responded (within 15 minutes) to a report of residential paint brush and roller cleanup taking place in the roadside ditch at 600 El Camino Road. They immediately stopped the practice and had the cleanup completed within 24 hours.

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					12/27/08: A sight glass on a Arizona Water Company treatment backwash tank on Shelby Drive broke due to freezing conditions and released approx. 800 gallons of water and sludge. This release did not enter any major channels and was cleaned up the following morning by the plant manufacturer. The sludge is not considered to be hazardous waste according to the AZWC. 1/15/09: ADEQ NRO was notified of a sewer spill that occurred this day as a result of overnight mainline construction and a plugged back flush valve in front of Exposures Gallery at 561 SR 179. An estimated 200 gallons of raw sewage was released and contained within a 25 ft. radius. The spill area was decontaminated with liquid chlorine and the back flush valve was repaired. In February 2009, a contractor working on the Sedona KFC/Taco Bell Project at 1490 W. SR 89A, violated his Haul Plan by hauling approx. 200 cubic yards of dirt down to the Oak Creek Floodplain at 160 Blackhawk Lane. Though letters by the City and a Notice of Opportunity to Correct by the ADEQ NRO, the

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					material was removed from the floodplain and taken to an appropriate location. In February 2009, it was discovered that a local Jeep Tour Company at 210 N. SR 89A was washing Jeeps on-site and allowing the wash water to run off-site. Through a letter to the business owner and coordination with his contractor, they installed vehicle-washing facilities with silt basins and oil/water separators at three business locations in Sedona. All three of these facilities were also connected to the City sanitary sewer as part of the projects. 3/6/09: ADEQ NRO issued a Notice of Violation to ADOT related to BMP deficiencies associated with the SR 179 Project. In the weeks following the NOV, ADOT and their contractor worked diligently with ADEQ to resolve all of the violations. 3/10/09: ADEQ NRO issued a Notice of Violation to Tiffany Construction related to BMP deficiencies associated with a large sewer project in the Chapel Area adjacent to SR 179 and Chapel Road. A letter dated 4/3/09, to Tiffany

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					from ADEQ stated that Tiffany was in compliance and that the NOV for this case was closed. In March 2009, a stucco contractor cleaned his equipment and tools into a stormwater inlet grate. The contractor was immediately notified and the contractor completely cleaned up the stucco debris in the MS4 within one week. 4/15/09: ADEQ NRO performed an inspection on the construction project located at L'Auberge De Sedona at 301 L'Auberge Lane as a follow up related to a NOV that was issued 3/10/09. Some deficiencies were noted with the BMPs in the report. Tiffany Const. followed up with a letter to ADEQ on May 4, with the necessary improvements and documentation. 5/6/09: The Sedona Car wash at 2660 W. SR 89A was ordered to shut down their operation due to a discharge of approx. 10 gallons of wash water into the MS4. The spill occurred because a sump pump failed. The pump was replaced and the business was operational within two hours of the

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					order to shut down. The City required the business to prepare a corrective action/maintenance plan. In June 2009 we took a proactive measure with the McDonald's Restaurant property by notifying them that the stormwater from their building and parking area runs directly into the MS4. As a BMP, they installed a first-flush retention basin for their runoff. 6/16/09: A letter was sent from the City to a local citizen addressing several concerns he had regarding the City's implementation of its Stormwater Quality Management Plan. This letter assured the citizen that each of his areas of concern were looked at individually, and that each concern was appropriately addressed.
Construction Site Runoff Control	Establish Ordinance addressing construction site runoff	Establish Ordinance addressing construction site runoff		Jul 2004	Complete. Land Development code changes addressing grading completed in 2006 (Article 8 Section 805.06). City Code Section 7-15 "Rights-of-Way" modified to address work in the public Right-of-Way in June 2008.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Runoff Control	Develop a list of preferred Construction site BMP	Develop a list of preferred Construction site BMP		Jan 2005	Ongoing. Development of a formalized list of BMPs and listing of benefits. The city has been suggesting practices for several years now. The City web site contains guidance for contractors in locating BMPs. The City has developed a brochure for Contractors that contains BMP examples and directs them to the EPA site for BMPs. The benefits of BMPs are explained in that brochure. The brochure is available to the public in the entrance area where contractors come for permits.
Construction Site Runoff Control	Develop an educational program	Develop an educational program		January 2003	Ongoing. The City continues to distribute brochures. The City mailed 158 brochures to various contractors (i.e., landscaping, concrete, painting, general, and excavators) in December 2008. During plan reviews for developers, storm water pollution prevention measures are required. A spreadsheet for tracking site inspections was started March 2009. In the months of March thru June 2009, 109 site inspections were conducted. This number would equate to approx. 330 site inspections over the one-year

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					reporting period. As a corrective measure and educational tool, deficiencies needing to be addressed are written and given to the contractor. A City of Sedona NOI Form (attached) was developed and is required to be completed and signed as part of the permitting process for projects that have the potential of generating stormwater pollution.
Construction Site Runoff Control	Review site inspection program	Review site inspection program Provide training regarding the site inspection program		January 2004	Ongoing. The City has begun and is continuing a program to monitor compliance with permit conditions regarding erosion control and site SWPP. The training program needed to be strengthened through more formalized and regular training. This regular training was started in 2007. One such training session was held with 29 City staff participants on 10/29/08. This year the City has relied on inspection of permitted construction sites. At present two individuals assisted on occasion by four others in the City may perform site inspections. The four other work primarily with City projects.

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					One City staff member that conducts site inspections attended a 16-hour Erosion Control Coordinator Training Course presented by Arizona General Contractors and ADOT in Nov. 2008. Two City staff members attended and participated in monthly SWPP meetings hosted by ADOT in relation to the SR 179 Project. Per comments made regarding the revised 2007 Annual Report in ADEQ September 5, 2008, letter, it is being clarified that the City's Commercial and Residential Inspection policy required that active commercial developments be inspected on a weekly basis while single family residential developments are inspected intermittently. Approx. 330 site inspections were conducted during this reporting period (this was a combination of commercial and residential sites). Beginning July 2009, documentation of the weekly inspections of commercial development project sites is being carried out through email correspondence between the inspectors and their supervisor.

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Construction Site Runoff Control	Develop a notification procedure to inform offending parties of discharge violations to respond and correct such discharge violations.	City staff will establish notification guidelines for violators of the City Codes related to stormwater runoff.		Jan. 2004	Ongoing. The City continues to monitor ongoing construction projects. The procedure followed is a verbal warning, written notice to correct, and if necessary take action to stop construction, deny occupancy, or file charges. At this time, verbal and a written notice has secured correction. In correspondence dated June 2008, ADEQ requested that the City report the number of warning and written notices provided. Previously this has not been closely tracked. The City has begun doing so. Our records show 9 written notices in FY 08/09 all of which were satisfactorily resolved. The number of verbal warnings is not known (we typically try to avoid verbal warnings by using email so that we have a written record); however, if an issue was not timely resolved a written warning is sent. The city estimates that it conducted about 330 site inspections in FY 08/09.
Post – Construction Runoff Control	Review current City Ordinance	City staff will review all current City ordinances related to long-term drainage and erosion control		July 2004	Completed and ongoing. The City has reviewed Land Development and City Code provisions for changes. As other deficiencies appear, additional changes will be made. As previously stated, changes have been made to Section 8 of the Land Development Code, and

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					Sections 7 and 14 of the City Code. In February 2009, it was discovered that a local Jeep Tour Company at 210 N. SR 89A was washing Jeeps on-site and allowing the wash water to run off-site. Through a letter to the business owner and coordination with his contractor, they installed vehicle-washing facilities with silt basins and oil/water separators at three business locations in Sedona. All three of these facilities were also connected to the City sanitary sewer as part of the projects. In June 2009, the City took a proactive measure with the McDonald's Restaurant property by notifying them that the stormwater from their building and parking area runs directly into the MS4. As a BMP, they installed a first-flush retention basin for their runoff.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Post – Construction Runoff Control	Review current City Ordinance	City staff will train building inspectors to identify violations of our compliance with the Stormwater Ordinance's design criteria.		April 2006	The ending date was missed, although the City did pursue this goal. The adoption of the storm water ordinance needed to precede this effort. The intent was to start this in 2008 as part of the in-house training. The first such training occurred on 11/20/07, with 20 City staff participants. On 10/29/08, training sessions were held with 29 City staff participants including the Chief Building Inspector. All participants of these trainings took tests and signed a signup sheet.
Post – Construction Runoff Control	Investigate development of a site inspection program	The City will investigate a site inspection program that institutes maintenance requirement for structural and non-structural BMP's for long-term soil stabilization and water quality improvement.		Dec. 2006	Not started in this reporting period. This was partially accomplished in preparing a Stormwater Ordinance to be presented to the City Council in November 2007. Public Works staff did request an Environmental Inspector in the FY 08/09 budget, The position was approved, and recruitment started in August 2008. However, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position was not filled. Letters were written to the existing businesses of Hyatt Pinon Point,

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					Sedona Rouge Hotel & Restaurant, and McDonald's regarding post-construction runoff control. All three of these businesses addressed our concerns and provided a written SWPP Maintenance Plan.
Post – Construction Runoff Control	Investigate development of a site inspection program	The City will investigate how enforcement actions will be taken on those who violate the City ordinance in accordance with the City's ordinance enforcement code.		Dec. 2006	Not started in this reporting period. Development of an ordinance to be presented to the City Council in November 2007 did include such an investigation. Actions were taken to make people aware of the ordinance as part the process. The ordinance is posted on the City web page. Efforts were planned to intensify in FY 08/09 with the hiring of an Environmental Inspector. However, due to budget constraints, the Environmental Inspector position was not filled. Existing City staff are being utilized in this effort. The letter dated 12/31/2008, which was mailed to 158 local contractors provided information regarding the City Stormwater Ordinance (attached).
Post – Construction Runoff Control	Use of structural BMPs for long-term	City staff will identify and incorporate into plan review		Jul. 2004	Ongoing. Staff still needs to identify the preferred structural BMPs. Some progress has been made on this goal through development of the

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	drainage and erosion control	guidelines preferred structural BMP's designed for long-term drainage and erosion control to be used for SWPPP.			updated stormwater management plan (August 2007) as required by ADEQ letter dated June 6, 2008. We require oil/water separators or first flush retention for new parking lots. Stornwater detention is required on projects that will increase runoff by more than one CFS. This detention has the effect of reducing potential erosion. We also require a Post Construction BMP Maintenance Plan on many commercial projects.
Pollution Prevention/Good Housekeeping	Educate City Employees on the Stormwater Program	City Engineer to meet with other City Department heads to discuss the program and assist them in implementing the program.		Feb. 2004	This is an ongoing task: One City staff member that conducts site inspections attended a 16-hour Erosion Control Coordinator Training Course presented by Arizona General Contractors and ADOT in Nov. 2008. On 10/29/08, training sessions were held with 29 City staff participants. All participants of these trainings took tests and signed a signup sheet.
Pollution Prevention/Good Housekeeping	Review existing City operation and maintenance	Department Heads will meet annually with their staff to review and		February 2004	This is ongoing. The City is developing comprehensive criteria regarding the use of fertilizers, herbicides, pesticides, and other chemicals in an effort to

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	programs to determine how to meet the objectives of the Stormwater Management Program.	improve existing operation and maintenance programs in their units aimed at incorporating the objectives of the SWMP. Department heads will provide update reports to the City Engineer on their programs			reduce impact on the environment. The City Engineer is working to involve other departments in this aspect of the program by reminding them of the need to inform their staff of the need to reduce stormwater pollution. Again, on 10/29/08, training sessions were held with 29 City staff participants. No annual reports are currently being received from other departments. The Public Works Department, which includes engineering, streets and storm drainage maintenance, and wastewater prepares this report. The City has approved sweeping of City parking lots in the FY 08/09 budget. The City owned parking lots at City Hall, Uptown Sedona, Sunset Park, and Posse Grounds Park were swept by a mechanical vacuum type street sweeper in May and June of 2009. All City maintained streets with curb & gutter were swept in Sept. 2008 and March 2009. Reporting forms were prepared in FY 2008/09. Billing receipts for street and parking lot sweeping are used for records.

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					In May of 2009, the City installed oil/water separators in three stormwater inlets in the City Hall parking lot, at three catch basins on Forest Road, and at Wayside Chapel. The cost for the equipment alone was $10,549. As part of the SR 179 Project, the City has worked with ADOT to ensure the installation of high capacity oil/water separators to treat runoff collected between curb & gutter for the portions of the roadway that drain to the Oak Creek Bridge and Morgan Wash.
Pollution Prevention/Good Housekeeping	Develop a SWPP for every CIP	Develop a SWPP for every CIP	Project Managers will ensure that a SWPPP is developed for every CIP of the City.	January 2003	Ongoing. The City has this as a standard part of its specifications for CIP. We continue to improve the specification as necessary. During FY 08/09, the City CIP program included the following projects within the City: The Chapel Sewer project, the Three Major Pump Stations Project, Phase II of the SR 179 Project (utility relocations), the Wastewater Berm Project at the treatment plant, and several small sewer rehabilitation projects. Each of these projects were required to have a Storm Water Pollution Prevention Plan.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Pollution Prevention/Good Housekeeping	In-house inspection program	The City will implement an inspection program aimed at enforcing the current operations and maintenance programs. The program will include inspection of parking areas for oil and grease runoff.		Oct. 2004	Not started formally. Vehicle inspections are being done, but inspection of parking areas for oil and grease runoff has not been implemented. This is to be an ongoing program. The program needs to be formalized so that parking area inspections are conducted. No steps were taken to formalize an oil/grease inspection program for the parking lot. However, City owned parking lots are swept on a regular basis, and oil/water separators were installed in the stormwater inlets at the City Hall parking lot.
City Implementation	Investigate Staff Resource needs	Review six control measures and identify staff and resource requirements. Recommend program funding annually		January 2004	This is an ongoing task: The City has created a budget classification for storm water items in the FY 05/06 budget. Public Works staff made another request for an Environmental Inspector in the FY 08/09 budget, and the position was approved by City Council. Although, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position has not been filled.

					The City has appropriated funds for sweeping City Park and City Hall parking lots.

Note: If you have developed a stormwater ordinance during the last reporting period, include a description or citation of the ordinance, or simply attach a copy of the ordinance.

D. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Charles Mosley
Signature

12/14/2009
Date

Charles Mosley
Name (printed)

City Engineer / Public Works Director
Title

INSTRUCTIONS

Regulated Municipal Separate Storm Sewer Systems (MS4s) must submit annual reports to Arizona Department of Environmental Quality (ADEQ) for each year of the permit term. In compliance with the MS4 General Permit, an MS4 must annually review its Stormwater Management Program (SWMP) in conjunction with the preparation of the annual report. This document is a suggested format for annual reporting.

Submit a signed copy of your annual report no later than September 30 of each year to:

Arizona Department of Environmental Quality
Surface Water Section/ Stormwater & General Permits Unit (5415A-1)
1110 West Washington Street
Phoenix, AZ 85007

A. General Information

Provide the name of the municipality or owner/operator of the storm sewer system.
Provide the name, telephone number, and email address for the stormwater program contact person.

Place a check mark in the box corresponding to the current annual report year.

B. SWMP Modifications and Additional Information

1. **Changes have been made or are proposed to the SWMP**. Modifications to the SWMP must be addressed in the annual report in accordance with Part V.E. and Part V.G. of the Permit. If ADEQ notified you during this reporting period that changes to your SWMP were necessary, you must check "yes" to this question.

   Be sure to provide the following information in the attached explanation:
   a. Describe changes made to best management practices (BMPs), measurable goals, dates, contacts, procedures or details during the last reporting period.
   b. If changes include additions or substitutions of BMPs, please indicate this. Include a written analysis explaining why the original BMP is ineffective or infeasible and why the replacement BMP is expected to achieve the goals of the original BMP.

2. **The MS4 has annexed lands**. Attach a description (or map) indicating the annexed area, the BMPs to be implemented, and any resulting updates to the SWMP.

3. **A water is listed as impaired**. ADEQ has completed Arizona's 2004 List of Impaired Waters which is significantly different from the 2002 List. Since the list has been updated, you may discover that your MS4's receiving water(s) is now

listed as impaired. Please determine if your receiving water(s) has been assessed as impaired. The 2004 List of Impaired Waters has been posted on ADEQ's web site at http://www.azdeq.gov/environ/water/assessment/assess.html

a. If your MS4 discharges directly to an impaired water, you must amend your SWMP to control the discharge of listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards. The SWMP must also identify BMPs to control discharges and include monitoring of their effectiveness (Permit Part I.D.5.b and Permit Part V.F.1). Attach a copy of this section of the SWMP to the annual report.

b. If you locate an impaired water within 10 miles of your jurisdiction, you must identify the sources of pollutants of concern to that water and evaluate the likelihood of your MS4's discharge contributing to the water's impairment. Attach a brief explanation to the annual report.

4. **A TMDL has been established**. A Total Maximum Daily Load (TMDL) is the maximum amount (load) of a water quality parameter which can be carried by a surface water, on a daily basis, without causing an exceedance of surface water quality standards. A list of the established TMDLs for impaired waters is located on ADEQ's web site at: http://www.azdeq.gov/environ/water/assessment/status.html.

   a. If your MS4 discharges directly to water for which a TMDL has been established:
      i. and the TMDL includes a wasteload allocation or load allocation for your MS4, you must amend your SWMP to describe what BMPs you will use to meet the allocation(s) and to describe the monitoring program associated with the pollutant of concern. Include a description and schedule for implementation of additional BMPs to ensure compliance with the TMDL. You must also attach to a description of the SWMP amendment to the annual report.
      ii. but the TMDL did not allocate a load or wasteload to the MS4, attach a statement stating so to your annual report.

   b. If a TMDL has been established within 10 miles of your jurisdiction and does not include an allocation for your MS4, you must evaluate the likelihood of your discharge contributing to that water's impairment. Attach a brief explanation to your annual report.

5. **The MS4 conducted analytical monitoring of stormwater quality**. Attach to the annual report any monitoring data used to evaluate the success of the SWMP to reducing pollutants to the maximum extent practicable. The summary should include a discussion of results. Data collection must follow the requirements of Permit Part V.F and Part VI.K.

6. **The MS4 is relying on another government entity to satisfy some of the permit obligations**. If you are relying on another entity to satisfy permit obligations, attach a statement to the annual report identifying the entity and the elements the entity will be implementing. A description of the agreement or written documentation of the agreement must be included in the SWMP.

C. Stormwater Management Program Status

Each MS4 is required to evaluate compliance with permit requirements and assess the appropriateness of the BMPs in reducing the discharge of pollutants to the maximum extent practicable. The purpose of the annual report is to report the status of compliance with permit conditions, specifically the implementation of selected BMPs and the progress towards achieving the measurable goals for each BMP.

Using the table format provided on page 2 and following the example on page 6 of this document, summarize the status of all BMPs specified in your SWMP, as follows:

Minimum Control Measure(s): Specify the minimum control measure (MCM) addressed by each BMP. The six MCMs are listed in Part V.B. of the permit. Some BMPs may address more than one MCM.

BMP: List ALL of the BMPs specified in your SWMP, including any new BMPs. BMPs are the specific, long-term activities and practices that will be implemented to prevent or reduce stormwater pollution from the MS4. Examples include stormwater public service announcements, MS4 outfall inspections, and construction site plan review.

Note: If you have developed a stormwater ordinance during the last reporting period, include a description or citation of the ordinance, or simply attach a copy of the ordinance.

Measurable Goals: List ALL measurable goals in your SWMP, including any new measurable goals. Measurable goals are the ongoing tasks and interim steps that demonstrate progress toward implementing a specific BMP. They are used to measure the effectiveness of your SWMP and compliance with the permit. Each BMP must include specific measurable goals. For instance, the measurable goals for the BMP "establishing a stormwater web page" might include "researching stormwater pollution prevention materials", "drafting web page text", "designing web page layout", and "distributing final draft for approval". Upon implementation, additional measurable goals that track progress of the BMP may include "annual review and update of the web page" and "tracking the number of "hits" to the web site".

New or Revised: Place an X in this column if the BMP or measurable goal is new or revised, such as replacement with another BMP, addition of a new measurable goal, or revision of a start date, etc. Briefly explain the change to the SWMP in the "Implementation Status" column.

Start Date: Specify the scheduled start date (month and year) for each measurable goal.

Implementation Status: Indicate the implementation status (such as completed, in progress, or not started) of each measurable goal as of June 30 of this reporting cycle. If an activity is completed, indicate the achievement date. If an activity is in progress, provide the expected achievement date. If an activity has not yet been started, indicate the expected achievement dates. In addition, use this column to briefly explain the frequency of on-going BMPs.

The following table is an example of the type of information to be provided in the annual report:

EXAMPLE

Minimum Control Measure(s)	**BMP**	**Measurable Goal (steps to measure progress)**	**New or Revised**	**Start Date**	**Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)**
Pollution Prevention/Good Housekeeping for Municipal Oper.	Train all public works and streets staff	Approx. 20 staff trained annually. Staff educated on good housekeeping/ pollution prevention and upcoming stormwater ordinance		April 2004	In progress, annual training every April.
Illicit Discharge Detection and Elimination	Perform field screening of outfalls	Completed storm sewer system map includes all outfalls and names and locations of all waters of the U.S.		January 2005	Completed June 2005.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Researched other municipalities' ordinances	X	July 2004	Completed. Revised start date from March 2004 to July 2004.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Integrated language from model ordinance		September 2004	Completed December 2004.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Stormwater ordinance has been drafted		March 2005	In progress. Draft ordinance presented to City Council June 2005. Approval pending, expected completion date July 2005.

D. Certification

The annual report must be signed by either a principal executive officer or ranking elected official, or by a duly authorized representative (refer to Permit Part VI.L).

Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov

Benjamin H. Grumbles.
Director

January 6, 2010

Charles Mosley
Director of Public Works/City Engineer
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

RE: City of Sedona 2009 Annual Report
MS42002-32

Dear Mr. Mosley:

The Arizona Department of Environmental Quality (ADEQ) has reviewed the city of Sedona 2009 annual report covering July 1, 2008 through June 30, 2009 and received by ADEQ on December 14, 2009.

The city of Sedona 2009 annual report substantially complies with the Arizona Pollution Discharge Elimination System General Permit for Discharge from Small Municipal Separate Storm Sewer System to Waters of the United States (Permit No.AZG2002-002). Please continue to implement and update the SWMP as required by the permit.

The department appreciates the efforts in meeting the six minimum control measures and protecting our environment. The department looks forward to continuing to work with Sedona throughout program implementation to better serve the city and the state of Arizona. Please contact me if you have any questions regarding the Phase II MS4 Program (602-771-7614, jmr@azdeq.gov).

As a reminder, please include on Sedona's web site, a signed copy of the authorized 2009 annual report.

Sincerely,

Joanie M. Rhyner
Program and Project Specialist
Stormwater and General Permits
Surface Water Section

SWGP10:0002

Appendix B
Exhibit Log

Exhibit 1
Notice of Program Evaluation and EPA Records Request, dated October 19, 2011

MS4 PROGRAM EVALUATION
CITY OF SEDONA, AZ
OCTOBER 27 —28, 2011

Records requested to be available on-site:

Program Management/ Kick-off Meeting

1. Current Storm Water Management Program document—written description of your current MS4 Programs/Program Areas
2. Program organizational chart and/or a description of the departments involved in the implementation of your MS4 program and their responsibilities
3. Current MS4 permitted area, combined sewer service area (if applicable), land use, and receiving waters map—County background, demographics, and context
4. Any formal agreements with other local governments for implementation of your MS4 programs (e.g., memoranda of understanding)

Public Education, Outreach, Participation, Involvement

5. Examples of program materials, news paper articles, agreements with other partners, data demonstrating program achievements and measureable goals
6. Surveys or tangible examples of improved awareness and behavioral changes

Illicit Discharge and Elimination

7. Storm drain system map and onsite demonstration of any associated mapping tools. Emphasize layers/mapping that informs the MS4 program activities (e.g., storm drain system, structural controls, outfalls, receiving waters, etc.)
8. A representative schedule, map, or description of the outfall inspection program used to identify illicit discharges and/or connections.
9. An inventory of businesses, entities, or areas inspected, visited, or observed as part of the illicit discharge program. Also provide a copy of the inspection form used by city inspectors.
10. Onsite demonstration of the database or system used to record illicit discharge incident information. As part of this effort, 2 - 3 hardcopy examples of a completed illicit discharge incident that includes identification, response, and remedy. At least one of the examples should include an example/case file of an incident where enforcement was used (ideally full extent of enforcement authority).
11. If available, the most current list or map of priority areas/areas of concern within the MS4 and/or areas receiving increased surveillance and/or points within the MS4 where dry weather flows are intercepted/directed into the sanitary sewer for treatment, if any.

Construction Site Storm Water Runoff Control

12. All ordinances pertaining to land disturbing activities (e.g., erosion and sediment control)

13. All other construction-related regulatory mechanisms (e.g., land disturbance or grading permit)
14. Erosion and Sediment (E&S) Control Plan/SWPPP review checklist
15. Construction site plan review procedures
16. Construction BMP Manual
17. Construction inspection and enforcement procedures
18. Construction inspection field checklist
19. Construction inspection records (most recent Reporting Year)—EPA Inspection Team will select specific sites at the time of the inspection
20. Inventory/map of current active construction sites with location
21. Example/case file of a construction site issue where enforcement of local ordinance was used (ideally full extent of enforcement authority)
22. Records of follow up actions to citizen/employee complaints regarding construction site issues (most recent Reporting Year)
23. Training records and syllabus (i.e., training content) for educating construction site operators and municipal operations staff (most recent Reporting Year)

Post-Construction Storm Water Management

24. All post-construction related ordinances and regulatory mechanisms pertaining to development and redevelopment
25. Example post-construction BMP plan
26. Post-construction plan review checklist
27. Post-construction BMP Manual and design standards
28. Database/map of post-construction BMPs with location and maintenance status (differentiating municipally owned and operated from private)
29. Records of post-construction BMP maintenance inspections (most recent Reporting Year)—EPA Inspection Team will select specific sites at the time of the inspection
30. Requirements for long-term operation and maintenance of post-construction BMPs

Pollution Prevention/Good Housekeeping for Municipal Operations

31. Inventory/map of municipal facilities/corporate yards
32. Example Storm Water Pollution Prevention Plan—EPA Inspection Team may select additional sites at the time of the inspection
33. Municipal employee training records and syllabus (i.e., training content) on pollution prevention and IDDE
34. Standard operating procedures (SOPs) and checklists used for conducting municipal facility inspections
35. Records (i.e., completed checklists) for municipal facility inspections (most recent Reporting Year)—EPA Inspection Team will select specific sites at the time of the inspection

TMDL Implementation

36. Onsite presentation and discussion of the City's efforts to meet TMDL Wasteload Allocations and/or development of TMDL Implementation Plans.

***Note: In addition to the numbered items requested, also provide any other documents or tools that you believe demonstrate program development and structure.**

Exhibit 2
Illicit Discharge Case File Examples

WG
10/27/11

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

3 examples

August 24, 2009

CERTIFIED MAIL

Giant #6003
2960 W. SR 89A
Sedona, AZ 86336

Attention: Annette Kirby, Manager
SUBJECT: BEST MANAGEMENT PRACTICES FOR STORMWATER QUALITY RELATED TO POWER WASHING OPERATIONS

On or about August 18, 2009, the City Engineer, Charles Mosely, spoke with you regarding the contaminated power washing water that was actively entering the storm drain system.

As you probably are aware, all of the stormwater runoff from Sedona eventually flows into Oak Creek. Since Oak Creek has the designation of "Outstanding Arizona Water" by the Arizona Water Quality Control Council, it is understandable that we all share the duty of protecting this beautiful creek from pollutants to the best of our abilities.

The City of Sedona is required by the Arizona Department of Environmental Quality, pursuant to the Clean Water Act to take actions to reduce the pollutant loading to Oak Creek. As part of this effort, the City has adopted Chapter 14 of the City of Sedona's Code specifically addressing control of discharges to the City Stormwater System. This article requires, that unless expressly authorized or exempted by the article, no person shall cause, participate in, or allow the discharge to a public right-of-way or public storm drain system of any substance that is not composed entirely of stormwater.

This letter serves as an opportunity to correct any practices that may not be in compliance with Chapter 14 of the City of Sedona's Code as mentioned above. By September 18, 2009, please submit the following information to the City Public Works Department:

1. A Stormwater Control Operation and Maintenance Plan that describes how and how often the parking lot will be maintained, how often the parking lot will be swept, how often loose debris/trash will be collected from the parking lot, etc.
2. The Plan also needs specific procedures that will be used to prevent contaminated power washing water from entering the storm drain system. A couple of possible ways to achieve this would be to trap and vacuum the water, or to trap the water and sweep up the dried materials after the water evaporates.

3. Provide the contact information for the person(s) responsible for stormwater control operation and maintenance.

If you have any questions, please contact me at (928) 204-7108, or email dpeck@sedonaaz.gov.

Sincerely,

David Peck, CFM
Assistant Engineer
City of Sedona

Enclosure: Sedona's Stormwater Brochure
City of Sedona General Stormwater Pollution Prevention Guidelines

DWP/ms
cc: Charles Mosley, Director of Public Works/City Engineer
Andy Dickey, Assistant City Engineer
Stormwater Quality File

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

April 2, 2010 CERTIFIED MAIL

Giant – Northern Arizona District
1205 South Milton Road
Flagstaff, AZ 86001

Attention: Eduardo Garcia, District Manager
SUBJECT: BEST MANAGEMENT PRACTICES FOR STORMWATER QUALITY RELATED TO WASHING CONCRETE FUELING AREAS AT STORE LOCATION #6003

On or about August 18, 2009, the City Engineer, Charles Mosley, spoke with Annette Kirby regarding the contaminated power washing water that was actively entering the storm drain system. A certified letter dated August 24, 2009, was sent to Annette Kirby to address this situation (enclosed). In that letter, the City requested a response from Giant, but none was received.

Per my phone conversation with you, I witnessed Annette Kirby and another Giant employee cleaning a concrete fueling area with a hose and a squeegee on March 31, 2010. I assume a detergent was being used as well, because there were suds present in the runoff. I instructed them to stop what they were doing and reiterated that the areas can be cleaned as long as the contaminated substances do not enter the storm drain system.

This letter serves as an opportunity to correct any practices that may not be in compliance with Chapter 14 of the City of Sedona's Code as mentioned above. By **April 30, 2010**, please submit the following information to the City Public Works Department:

1. A Stormwater Control Operation and Maintenance Plan that describes how and how often the parking lot will be maintained, how often the parking lot will be swept, how often loose debris/trash will be collected from the parking lot, etc.
2. The Plan also needs specific procedures that will be used to prevent contaminated washing water from entering the storm drain system. A couple of possible ways to achieve this would be to trap the water and sweep up the dried materials after the water evaporates or use dry chemicals. If the contaminated water is vacuumed, it shall not be disposed of in the stormwater system or in the sanitary sewer system.
3. Provide the contact information for the person(s) responsible for stormwater control operation and maintenance.

Any future violations of the Stormwater Discharge Ordinance may result in fines and penalties per Article 1-8 of the City Code.

If you have any questions, please contact me at (928) 204-7108, or email dpeck@sedonaaz.gov.

Sincerely,

David Peck
Assistant Engineer
City of Sedona

Enclosures: Sedona's Stormwater Brochure
City of Sedona General Stormwater Pollution Prevention Guidelines,
Letter dated August 24, 2009

DWP/dkp
cc: Charles Mosley, Director of Public Works/City Engineer (e-copy w/o attachments)
Andy Dickey, Assistant City Engineer (e-copy w/o attachments)
Annette Kirby, Giant #6003 (e-copy w/o attachments)
Stormwater Quality File

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

June 24, 2010 CERTIFIED MAIL

Giant – Northern Arizona District
1205 South Milton Road
Flagstaff, AZ 86001

Attention: Eduardo Garcia, District Manager
SUBJECT: BEST MANAGEMENT PRACTICES FOR STORMWATER QUALITY RELATED TO WASHING CONCRETE FUELING AREAS AT STORE LOCATION #6003

NOTICE:

This is the third attempt to get information required per City Code, Section 14-1-7 Stormwater Discharge - Discharge Prohibitions. If the required information is not received by the City of Sedona Public Works Department within 10 calendar days of your receiving this letter, this matter will be referred to the City Prosecutor's Office.

On or about August 18, 2009, the City Engineer, Charles Mosley, spoke with Annette Kirby regarding the contaminated power washing water that was actively entering the storm drain system. A certified letter dated August 24, 2009 was sent to Annette Kirby to address this situation (enclosed). In that letter, the City requested a response from Giant, but none was received.

On March 31, 2010, I witnessed Annette Kirby and another Giant employee cleaning a concrete fueling area with a hose and a squeegee. I assume a detergent was being used as well, because there were suds present in the runoff. I instructed them to stop what they were doing and reiterated that the areas can be cleaned as long as the contaminated substances do not enter the storm drain system. A certified letter dated April 2, 2010 was sent to you to address this situation (enclosed). In that letter, the City requested a response from Giant, but none was received.

I had a phone conversation with you on May 14, 2010 letting you know that your deadline, per the April 2, 2010 letter, had passed. You assured me that you would get the required information to me right away. As of today, I have not received the required information requested in my previous two letters.

This letter serves as a final opportunity to correct any practices that may not be in compliance with Chapter 14 of the City of Sedona's Code as mentioned above. Within 10 calendar days of receiving this letter, please submit the following information to the City Public Works Department:

1. A Stormwater Control Operation and Maintenance Plan that describes how and how often the parking lot will be maintained, how often the parking lot will be swept, how often loose debris/trash will be collected from the parking lot, etc.

2. The Plan also needs specific procedures that will be used to prevent contaminated washing water from entering the storm drain system. Several possible ways to achieve this would be to trap the water and sweep up the dried materials after the water evaporates or use dry chemicals. If the contaminated water is vacuumed, it shall not be disposed of in the stormwater system or in the sanitary sewer system.

Western Refining

Storm water control Operations and Maintenance Plan

Due to the concern for runoff from our facility to the public storm drain, the Giant location (#6003 – Sedona) has developed a "storm water control operations and maintenance plan" to be effective immediately.

We commit to:

1. No power wash or hose process will be utilized on the parking lot, parking stalls, or front walk areas.
2. We will sweep the lot, in its entirety, at least once per day – most likely during our third shift (11p – 7a).
3. The parking lot will be "policed" at least three times per day – to pick up cigarette butts, paper, cups, and obvious trash.
4. The parking lot and fuel island will be "walked" at least once every four hours to check for any large trash or debris and insure a safe environment for our customers.

Should we desire, at any time, to utilize a power wash process, it will be from a certified, licensed company and include a vacuum process to insure no runoff of water into the public drain system.

Contact information:

Store Manager:	Annette Kirby	(928) 282-0038
District Manager	Eduardo Garcia	(928) 814-6254
Operations Manager	David Pearson	(b) (6) [redacted]
		(602) 286-1910 – office

4. On at least two occasions, defendant has been observed washing petroleum based products, soil, and other waste that had accumulated on the driveway and fueling areas of its service station directly into the MS4. Specifically, on ---- city officials personally observed: Employees were power washing these areas on or about August 18, 2009. The water from this cleaning operation flowed, unfiltered or trapped, to a storm drain inlet near the driveway access on the SR 89A frontage of the property. Employees were also washing the concrete fueling area with a hose and a squeegee on March 31, 2010. Again, the water from this cleaning operation flowed, unfiltered or trapped, to a storm drain inlet near the driveway access on the SR 89A frontage of the property.

5 Per Sedona City Code Secttion 14-1-5, upon discovery of a violation, the City Engineer may issue to the violator a written notice stating the nature of the violation, the corrective action required, the time frame for corrective action, and penalties for continued non-compliance. Said notices may also require the violator to submit a corrective action plan indicating the cause of the violation, corrective actions to prevent reoccurrance, and a proposed compliance schedule.

5. As evidenced by the attached letters, the City of Sedona, Arizona as issued notices pursuant to Sedona City Code Sec. 14-1-5. As part of said notices, the City of Sedona requested that the defendant provide a corrective action plan. The defendant has failed and/or refused to comply with this request.

6. Upon information and belief, Defendant has disposed of and is still disposing of petroleum wastes by washing them directly into to City of Sedona Central Storm drain system. Upon information and belief, defendant intends to resume and to continue such conduct unless enjoined by this court.

7. Plaintiff is suffering irreparable harm by reason of defendant's violations applicable County ordinances. Such irreparable harm will continue unless the violations are enjoined by this court. Further, plaintiff is without an adequate remedy at law to prevent such violation. Therefore, defendant should be enjoined as requested below.

8. Plaintiff cannot be fully compensated in damages for the harm resulting from defendant's conduct and threatened conduct, and is without an adequate remedy at law in that the exact amount of damage plaintiff County will sustain in connection with or as a result of such conduct is impossible to ascertain. Injunctive relief for persons who fail to comply with the aforementioned requirements is authorized per Sedona City Code Sec. 14-1-15(D)

Wherefore, plaintiff requests that:

1. Defendant be ordered to show cause why a preliminary injunction should not be issued enjoining defendant, its agents, officers, employees, and representatives, and all persons in concert or participating with them, from disposing from petroleum wastes into the City of Sedona Storm drain system;

2. Defendant, its agents, officers, employees, and representatives, and all persons acting in concert or participating with them, be permanently enjoined from doing or causing to be done the acts described in Paragraph 1, above; and

3. The court order such other relief as may be deemed just and proper.

Dated: .

Dated this ____ day of _____, 2010.

By _____
Michael G. Goimarac
Sedona City Attorney

Copy of the foregoing mailed/
delivered this ____ day of
_____, 2007 to:

_____

Illicit Discharge Hotline Incident Tracking Sheet

Incident ID: 05-06-09

Responder Information	
Call taken by: David Peck and Sal Valenzuela	Call date: 5/6/09
Call time: 2:00 P.M.	Precipitation (inches) in past 24-48 hrs: 0
Reporter Information	
Incident time: 2:00 P.M.	Incident date: 5/6/09

Caller contact information (*optional*):
Per Charles Mosley

Incident Location *(complete one or more below)*

Latitude and longitude:

Stream address or outfall #:

Closest street address: 2660 W. SR 89A / Harmony Drive at Sedona Car Wash

Nearby landmark:

Primary Location Description	**Secondary Location Description:**		
☐ Stream corridor *(In or adjacent to stream)*	☐ Outfall	☐ In-stream flow	☐ Along banks
☐ Upland area *(Land not adjacent to stream)*	☒ Near storm drain	☐ Near other water source (storm water pond, wetland, etc.):	

Narrative description of location: 2660 W. SR 89A - South end of property flowing to storm inlet on 89A - See photos at = L:\PECK\Stop Work Orders\Photos\Sedona Car Wash

Upland Problem Indicator Description

☐ Dumping	☐ Oil/solvents/chemicals	☐ Sewage
☒ Wash water, suds, etc. 5-10 gallons	☐ Other: _____	

Stream Corridor Problem Indicator Description

Odor	☒ None	☐ Sewage	☐ Rancid/Sour	☐ Petroleum (gas)
	☐ Sulfide (rotten eggs); natural gas	☐ Other: Describe in "Narrative" section		
Appearance	☐ "Normal"	☐ Oil sheen	☐ Cloudy	☒ Suds
	☐ Other: Describe in "Narrative" section			
Floatables	☒ None:	☐ Sewage (toilet paper, etc)	☐ Algae	☐ Dead fish
	☐ Other: Describe in "Narrative" section			

Narrative description of problem indicators:

Suspected Violator (name, personal or vehicle description, license plate #, etc.):
The Sedona Car Wash at 2660 W. Hwy. 89A

Investigation Notes	
Initial investigation date: 5/6/09	Investigators: David Peck and Sal Valenzuela
☐ No investigation made	Reason:
☐ Referred to different department/agency:	Department/Agency:
☐ Investigated: No action necessary	
☒ Investigated: Requires action	Description of actions: ~~Both~~ Business replaced the car wash sump/discharge pump.
Hours between call and investigation: 0.25	Hours to close incident: 1.5
Date case closed: 5/6/09	

Notes: The ~~both~~ Business Manager will be required to submit a corrective action/maint. plan so that a future pump failure will not lead to a illicit discharge.

CITY OF SEDONA
Community Development
104 Roadrunner Drive
Sedona, Arizona 86336
520-282-1154

STOP WORK ORDER

☒ City Code ☐ Building ☐ Mechanical ☒ Plumbing ☒ Electrical ☐ Zoning ☒ Wastewater

Address 2660 W SR 89A Date 5/6/09 @ 2:45 pm

Name Sedona Car Wash Permit # NA

I have this day inspected this structure and these premises and have found the following violations of city and/or state laws governing same:

City Code Section 14-1-7, Illicit discharge of car wash water to the Municipal separate storm sewer system.

The car washing operation shall not operate until the pump(s) is in working order and the violation has stopped.

Lifted @ 3:30 pm on 5/6/09
D. Peck

You are herby notified that no more work shall be done upon these premises until the above violations are corrected.

David Peck — Inspector name
204-7108 — phone number
5/6/09 — date

Any continued use/violation of the above may result in a fine of $2,500 per day or six (6) months imprisonment per day or both, for each and every day such violation is continued per Article 1-8 of the Sedona City Code.

DO NOT REMOVE THIS NOTICE UNTIL CORRECTIONS HAVE BEEN APPROVED.

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

May 12, 2009 HAND DELIVERED

Sedona Car Wash
2660 W. SR 89A
Sedona, AZ 86336

ATTENTION: Chris West - Manager
SUBJECT: ILLICIT DISCHARGE FROM THE SEDONA CAR WASH TO THE CITY STORM-SEWER SYSTEM ON MAY 6, 2009

As you know, on May 6, the discharge pump at the Sedona Car Wash failed, resulting in a spill that ran down the driveway and entered a stormwater catch basin on SR 89A.

This spill was a violation of City Code Section 14-1-7 Discharge Prohibitions.

Per City Code Section 14-1-14 Notification of Spills:

The owner, operator, or the person who has control of the source or location of any potential spill or release, which may result in a discharge that is not in compliance with this article, shall:

A. Have a written Storm Water Pollution Plan or a written corrective action plan utilizing BMP for the involved facility.

B. Post notices to employees containing information about whom to contact and what procedures to follow in the event of an accidental discharge or spill.

C. In the event of a spill, promptly take all reasonable safety precautions including, if appropriate, calling 911 and completing the following steps:

1. Proceed with containment and clean up in accordance with:

a. The orders of an involved health and safety agency, or if no such orders have been issued;

b. The orders of an authorized representative, or if no such orders have been issued;

c. The Storm Water Pollution Prevention Plan or approved corrective action plan utilizing Best Management Practices for the involved facility.

2. Notify the City Engineer and the Arizona Department of Environmental Quality of the release by telephone before noon of the next working day;

3. Provide written notification, within 5 working days, to the City Engineer of the type, volume, cause of the discharge, corrective actions taken, and measures to be taken to prevent future occurrences.

Please follow through per the stipulations of this City Code section. If you have any questions, you may reach me at (928) 204-7108.

Sincerely,

David Peck, CFM
Assistant Engineer
City of Sedona

DWP/ms
cc: Charles Mosley, Public Works Director/City Engineer
Andy Dickey, Assistant City Engineer

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

February 5, 2009

Shawn Wendell
Pink Jeep Tours
P. O. Box 1447
Sedona, AZ 86339

SUBJECT: UNAUTHORIZED DISCHARGE FROM THE JEEP WASHING OPERATION AT 210 N. SR 89A IN SEDONA

Dear Mr. Wendell,

During the early stages of excavation for the L'Auberge Property improvements, it became evident that a 4" pipe carrying wash water from the Pink Jeep wash area at 210 N. SR 89A drains onto the L'Auberge property. This unauthorized discharge constitutes a violation of City of Sedona Code Article 13-1 "Wastewater Disposal", and Article14-1 "Storm Water Discharge".

I'm sorry to say that the vehicle washing operation needs to be discontinued at this site (effective immediately) until a suitable system has been installed to handle the discharges in an appropriate manner.

A long-term solution could be attained with one of the following options:

1. Do all of your company's vehicle washing at your 2090 W. SR 89A location.
2. Install a grease, oil, and sand interceptor per City Code Section 13-7-7 at 210 N. SR 89A, and connect it to the City Wastewater collection system. Connection to the City Wastewater system may result in additional capacity fee charges due to increased discharge.
3. Use a waterless car washing technique. This can be researched if you google "waterless car wash". This may or may not be feasible with caked on dirt.

Within 15 days of receiving this letter, please contact me with your anticipated course of action. I can be reached at 203-5039.

Sincerely,

David Peck
Assistant Engineer
City of Sedona

DWP/ms
cc: Patty Woodard, Property Owner
Charles Mosley, City Engineer/Public Works Director (e-copy)
L:\PECK\LETTERS\09-02-05Pink Jeep.doc

Exhibit 3
City of Sedona – *Storm Water Ordinance*

RESOLUTION NO. 2007-___

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE PROPOSED AMENDMENT TO THE SEDONA CITY CODE ADDING A NEW CHAPTER, "STORM WATER", TO REGULATE ACTIVITIES TO PREVENT AND /OR MINIMIZE POLLUTION FROM STORM WATER RUNOFF; PROVIDEING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the provisions set forth in that document attached hereto as Exhibit A and entitled "STORMWATER ORDINANCE", constitutes a public record to be incorporated by reference, pursuant to A.R.S. § 9-802 into Ordinance No. 2007-___.

At least three (3) copies of this public record shall be filed in the office of the City Clerk and kept available for public use and inspection.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this ___ day of _____, 2007.

_____
Pud Colquitt, Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

EXHIBIT A

STORMWATER ORDINANCE

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA CITY CODE BY ADDING A NEW CHAPTER, CHAPTER 14, STORM WATER, TO REGULATE ACTIVITIES TO PREVENT AND /OR MINIMIZE POLLUTION FROM STORM WATER RUNOFF; PROVIDEING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Clean Water Act, among other things, regulates storm water and urban runoff to protect water quality; and,

WHEREAS, the City of Sedona has adopted a Storm Water Management Plan in order to comply with the Clean Water Act (33 U.S.C. 1151 et seq.) and its implementing regulations for storm water management (40 C.F.R. Part 122), and to comply with the Arizona Pollutant Discharge Elimination System (AZPDES) permit issued by the Arizona d\Department of Environmental Quality (ADEQ); and,

WHEREAS, the City of Sedona Water Management Plan provides that the Town will adopt ordinance(s) intended to prohibit, prevent and/or minimize pollution resulting from storm water runoff, on or before December 19, 2007.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

CHAPTER 14 – STORM WATER

ARTICLE 14 – 1 STORM WATER DISCHARGE

14 – 1 – 1 FINDING OF FACT

Illicit discharges occur due to illicit connections to the Municipal Separate Storm Sewer System ("MS4") from residential, business, industrial or commercial establishments. As a result of illicit connections, contaminated storm water, wastes or wastewater enters into storm drains or directly into local waters without receiving treatment from a wastewater treatment plant. Illicit connections may be intentional or may be unknown to the property or business owner Illicit discharges to the City of Sedona stormwater system can cause excessive discharges of pollutants to surface waters and groundwater. These discharges can negatively impact public health, welfare, and the environment by transporting and depositing pollutants.

14 – 1 – 2 PURPOSE AND INTENT

The purpose of this chapter is to provide for health, safety, and general welfare within the City of Sedona ("City") through the regulation of non-Storm Water discharges to the MS4 to the Maximum Extent Practicable ("MEP") as required by federal and state law. To this end this Chapter requires that unless expressly authorized or exempted by this Chapter, no person shall cause, participate in, or allow the discharge to a public right-of-way or public storm drain system of any substance that is not composed entirely of storm water. To further this end this Article establishes authority to conduct and require inspection, monitoring, reporting, and enforcement activities to address the prevention, identification, and remediation of illicit discharges to the MS4.

It is the intent of this chapter to comply AZPDES regulations for Storm Water discharges, to be consistent with the Storm Water quality provisions of the Federal Clean Water Act (33 U.S.C. § 1342), and to enable the City to comply with all applicable Storm Water quality provisions of federal, state, and local laws and regulations to ensure the future health, safety, and general welfare within the City of Sedona, as well as the protection and preservation of the local environment.

It is the intent of this Chapter that the standards promulgated by the Chapter are minimum standards; therefore it is not intended or implied that compliance with the provisions of this article by any person will ensure that there will be no contamination, pollution , or unauthorized discharge of pollutants.

14 – 1 – 3 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of words and terms used in this article shall be as set forth below.

"Arizona Department of Environmental Quality" or "ADEQ" means the Arizona state agency established pursuant to Arizona Revised Statutes §49-102.

"Arizona Pollutant Discharge Elimination System (AZPDES)" means the program established by the State of Arizona by provisions in Arizona Revised Statutes Title 49, Chapter 1, Article 3.1 to control the discharge of pollutants to waters in Arizona.

"AZPDES General Permit" means a general permit issued by the ADEQ under authority delegated pursuant to the 33 United States Code 1342(b)

"Best Management Practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to the MS4. BMPs also include treatment requirements, operating procedures, design requirements, and practices to control runoff, spillage, leaks, waste disposal, or pollution of storm drainage flows.

"City" means the City of Sedona, Arizona

"Combined Sewer" means an enclosed sewer system that conveys both sanitary sewage and stormwater flows

"Construction General Permit" means a permit issued by the Permitting Authority that allows discharges to stormwater from construction activities as defined in 40 CFR §122.26.

"Construction Site Operator" means the primary operator of a construction site within the corporate limits of the City.

"CWA" means Clean Water Act or the Federal Pollution Control Act, 22 U.S.C. 1251 et. seq.

"Designee" means a person designated for a specific purpose by the City of Sedona City Engineer

" Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, injecting, placing, releasing, leaching, dumping, or disposing into or on any land in a manner that may cause pollution, when used without qualification

EPA: The United States Environmental Protection Agency.

"Erosion" means the wearing away of land due to the actions of water, other liquid, and/or wind.

FACILITY: Any land, building, installation, structure, equipment, device, conveyance, area, source, activity or practice from which there is, or with reasonable probability may be, a discharge.

ILLICIT CONNECTION: Any manmade conveyance connecting an illicit discharge directly to an MS4.

ILLICIT DISCHARGE: Any discharge to the MS4 that is not composed entirely of Storm Water, except for discharges allowed under the AZPDES Permit No. AZG2002-002.

MAXIMUM EXTENT PRACTICABLE (MEP): The technology based discharge standard for municipal separate storm sewer systems to reduce pollutants in Storm Water discharges. A discussion of MEP as it applies to small MS4's is found at 40 CFR 122.34. CWA section

402(p)(3)(B)(iii) requires that a municipal permit shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including Best Management Practices, control techniques and system design, and engineering methods, and other provisions that the State of Arizona determines appropriate for the control of such pollutants.

"Municipal Separate Storm Sewer System" or "MS4" means a publicly-owned conveyance or system of conveyances designed or used for collecting or conveying stormwater which is not a combined sewer and which is not part of a publicly owned treatment works.

MUNICIPAL STORM WATER PERMIT: The AZPDES General Permit *Arizona Pollutant Discharge Elimination System (AZPDES) Storm Water Permit for discharge from Small Municipal Separate Storm Sewer Systems (MS4's) to Waters of the United States*. This permit is issued by the Arizona Department of Environmental Quality (ADEQ) under authority delegated pursuant to 33 United States Code & 1342(b).

"Non-Stormwater Discharges" means a discharge not consisting entirely of stormwater

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES): A permit issued by EPA (or by a state under authority delegated pursuant to 33 USC § 1342(b)).

"Notice of Intent" or "NOI" means that document submitted to the Permitting Authority in order to obtain coverage under a General Permit.

"Permitting Authority" means the NPDES-authorized state agency or EPA regional office that administers the NPDES stormwater permit program.

PERSON: An individual, employee, officer, managing body, trust, firm, joint stock company, consortium, public or private corporation, including a government corporation, partnership, association or state, a political subdivision of this state, a commission, the United States government or any federal facility, interstate body or other entity.

POLLUTANT: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: contaminants, toxic wastes, chemicals, petroleum products, biological materials, wrecked or discarded equipment, rocks, sand, paints, varnishes and solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes and yard wastes, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, floatables, pesticides, herbicides, and fertilizers, hazardous substances and wastes, heat, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure, noxious or offensive matter of any kind, or any other liquid, solid, gaseous, or hazardous substance.

POLLUTION: The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water of the State or waters of the United States, that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Publicly-Owned Treatment Works (POTW**)** means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature that is owned by a state or municipality. This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

"Public storm drain system" means all or any part of the publicly-owned and maintained roads, streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, and dry wells located within public easements, right-of-way, parks, common areas, retention areas, or other publicly-owned or maintained real property designed or used for collecting, holding, treating, or conveying storm water.

RECEIVING WATERS: A river, ocean, stream, or other watercourse into which wastewater, Storm Water or treated effluent is discharged.

STORM WATER: Any surface flow, runoff, or drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation and which is being managed in accordance with BMP appropriate to the facility, pollutant, and quantity of water. Appropriate to the facility shall mean consideration shall be given to the size, location , zoning, and use.

STORM WATER MANAGEMENT PLAN: A document which describes the Best Management Practices and activities to be implemented by the City to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm Water, Storm Water Drainage Systems, and/or Receiving Waters to the Maximum Extent Practicable. This document may also be designated "Storm Water Quality Management Plan".

STORM WATER POLLUTION PREVENTION PLAN (SWPPP): A document which describes the Best Management Practices, including but not limited to processes, devices, and activities, to be implemented by a person or business to identify sources, potential or actual, of pollution or contamination at a site and the action to eliminate or reduce pollutant discharges to Storm Water, MS4, and/or receiving waters to the Maximum Extent Practicable (MEP).

WASTEWATER: Any water or other liquid, other than uncontaminated Storm Water, discharged from a facility.

WATERCOURSE: Any body of water, including but not limited to, lakes, ponds, rivers, streams, and washes whether perennial, intermittent or ephemeral.
WATERS OF THE UNITED STATES:

Notwithstanding the determination of an area's status by the City, State or Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA. Subject to other determination by EPA, Waters of the United States shall be deemed to be traditionally navigable waters and their tributaries which have at a minimum continuous seasonal flow or have a significant nexus regarding the chemical, physical or biological integrity of the navigable water. Generally roadside ditches and small washes and gullies characterized by low, infrequent, or low duration flows will not be considered Waters of the United States.

14 – 1 – 4 APPLICABILITY

The provisions of this Article are applicable to all water entering the public storm drain system, Waters of the United States, and water watercourses within the City limits, whether generated on any developed or undeveloped lands, unless explicitly exempted by an AZPDES General Permit.

14 – 1 – 5 RESPONSIBILITY FOR ADMINISTRATION

The City Engineer shall administer, implement, and enforce the provisions of this Article. The City Engineer may designate other employees to exercise powers and perform duties under the provisions of this ordinance. The authorities granted to the City Engineer under the provisions of this section are subject to Sedona City Code Section 3-2-4 B as to relationship to the City Manager. In the case of overlapping authority regarding wastewater discharge as defined in Sedona City Code Article 13 and the authority regarding discharge under this article the Director of Wastewater is authorized to act on behalf of the City Engineer.

14 – 1 – 6 SEVERABILITY

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

14 – 1 – 7 DISCHARGE PROHIBITIONS

All illicit discharges to the public storm drain system are prohibited. These include, but are not limited to:

1. Discharges that are a source of pollutants, including discharges through connections that are a source of pollutants.
2. Discharge of soil, rock, trash, garbage and other waste
3. Maintaining, establishing, or using a connection that allows a discharge
4. Discharge from commercial car washing, mobile car washing, or impervious surface pressure washing operations
5. Discharge from concrete washing
6. Discharge of oils, fuels, paints, greases
7. Discharge of grit and sand from grinding
8. Discharge from carpet cleaning
9. Discharge of chlorinated water from spas, swimming pools and similar facilities
10. Discharge resulting from misrepresentation of the nature of discharge on an application, a plan, permit, or certification.
11. Discharge not disclosed on an application, plan, permit or certification
12. Discharge of wastewater as defined in Sedona City Code Article 13 and this Article.
13. Continuing a discharge that has not been permitted by the City of Sedona

The prohibition regarding illicit discharge includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of construction.

§ 14-1-8 Permitted Non-Stormwater Discharges

The City of Sedona has determined that the following discharges are not significant contributors of pollutants to the municipal MS4s and are considered allowable Non-Stormwater Discharges, unless the City determines in specific instances that the discharge contributes to a violation of the AZPDES General Permit or other permit(s) is under which the City of Sedona is permitted to operate its MS4:

a. Water line flushing
b. Landscape irrigation
c. Diverted stream flows
d. Rising ground waters
e. Uncontaminated ground water infiltration
f. Uncontaminated pumped groundwater
g. Discharges from potable water sources
h. Foundation drains
i. Air conditioning condensate
j. Irrigation water
k. Springs
l. Water from crawl space pumps
m. Footing drains
n. Lawn watering
o. Individual residential car washing
p. Discharges from riparian habitats and wetlands
q. De-chlorinated swimming pool and spa discharges
r. Street wash water, and
s. Discharges of flows from emergency fire fighting activities

The City permits discharges allowed under the AZPDES De Minimus General Permit, and the City will rely on the State of Arizona to enforce the provisions regarding these discharges under that permit. The City may, however, require a person to demonstrate that a discharge is subject to that permit.

Discharge allowed under separate permits issued by ADEQ are allowed provided that the permit conditions are adhered to.

Discharges which have been managed using BMP that are appropriate to the facility at the time of the discharge and properly maintained shall be considered allowable.

It shall be the responsibility of the person discharging to demonstrate through testing, records, plans, and other documents that the discharge is allowable under this Chapter. The City may require such demonstration for any facility connected to the MS4 directly or indirectly.

§ 14-1-9 Plan Review, Inspections, Access, and Reports

The City shall require that any person submitting a grading, building, or other improvement plan disclose if illicit discharge, stormwater, or permitted non-stormwater discharge of any type to the MS4 may occur as a result of, or in conjunction with the implementation of the plan. To the extent that the discharge would be an illicit discharge, if connected to the MS4, the plan shall include BMP measures to remove or prevent the illicit discharge during and after construction of the improvement or project. The BMP shall be subject to approval of the City Engineer.

Persons shall maintain the BMP during and after construction. This shall apply to persons initiating a project and to heirs and assigns. Changes to the BMP approved at the time of a project implementation shall be sent to the City in writing. The revised BMP shall be at least as effective in preventing pollution as the original BMP or as then currently required by the city. The City reserves the right to require changes in BMP as necessary to assure that discharges to the MS4 are of a quantity and quality that the City will not be in violation of the permits under which it is allowed to discharge storm water.

The City of Sedona shall be granted access to all facilities and lands discharging any water or other material to the MS4.

Persons further developing parcels and/or lots that are part of a larger development, regardless of the time elapsed, shall utilized current BMP methods that are at least as effective as those identified in the stormwater pollution prevention plan for the larger development or necessary to comply with regulations, laws, and codes current at the time of further developing, which ever is more stringent. Appropriate permits required by the State shall be acquired by further developers.

Site-specific stormwater pollution prevention plans shall be developed for all construction projects one acre or greater in size. The site specific plan shall identify the minimum BMPs to be utilized upon further development of the project area, when the person submitting the plan will not develop the entire project though building occupancy or other full development intent. Smaller areas may develop a site-specific plan or provide a notice of intent to abide by the City's general stormwater pollution guidelines. The Notice of Intent shall be of a format approved by the City Engineer and shall at minimum contain the following:

1. The name of the development as applicable
2. The name of the property owner
3. The name of the person responsible for compliance with the pollution prevention plan
4. The anticipated time frame for constructing the project
5. A statement to be signed by the responsible person and the property owner stating:

   " The responsible person and the person owning the property for which this Notice of Intent is submitted agrees to require that all construction work and related

activity be conducted in accordance with the Sedona City Code requires and the requirements of the City of Sedona General Stormwater Pollution Prevention Guidelines. Persons further understands that failure to meet the mentioned requirements will be sufficient cause for the City to restrict or stop work on the property until the requirements are met. Also Persons shall additionally be subject to other actions under law."

The City Engineer shall develop, publish, and update from time to time general stormwater pollution guidelines. These guidelines shall at minimum address pollution caused by soil erosion, motor oil, trash, and landscape debris.

14 – 1 – 10 SUSPENSION OF MS4 ACCESS

The City may, without prior notice, suspend MS4 discharge access when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as deemed necessary to prevent or minimize damage to the MS4, or to minimize danger to persons.

14 – 1 – 11 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Any person subject to an industrial or construction activity AZPDES/NPDES Storm Water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required. An authorized representative of the City of Flagstaff shall be permitted to enter and inspect facilities subject to regulation under Industrial or Construction Activity permits at reasonable times and as often as may be necessary to determine compliance with this chapter. If a discharger has security measures in effect which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.

14 – 1 – 12 SUSPENSION DUE TO THE DETECTION OF ILLICIT DISCHARGE

Any person discharging to the MS4 in violation of this chapter may be subject to MS4 access termination if such termination would abate or reduce an illicit discharge. The City will notify a violator of the proposed termination date of its MS4 access. The violator may petition the City Storm Water Management Section for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the City of Flagstaff Storm Water Management Section.

14 – 1 – 13 WATERCOURSE PROTECTION

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. All maintenance activities must be in compliance with Federal, State and Municipal regulations.

14 – 1 – 14 NOTIFICATION OF SPILLS

The owner, operator, or the person who has control of the source or location of any potential spill or release, which may result in a discharge that is not in compliance with this chapter, shall:

A. Have a written Storm Water Pollution Plan or a written corrective action plan utilizing BMP for the involved facility.

B. Post notices to employees containing information about whom to contact and what procedures to follow in the event of an accidental discharge or spill.

C. In the event of a spill, promptly take all reasonable safety precautions including, if appropriate, calling 911 and completing the following steps:

1. Proceed with containment and clean up in accordance with:

a. the orders of an involved health and safety agency, or if no such orders have been issued;
b. the orders of an authorized representative, or if no such orders have been issued;
c. the Storm Water Pollution Prevention Plan or approved corrective action plan utilizing Best Management Practices for the involved facility.

2. Notify the City of Sedona City Engineer and the Arizona Department of Environmental Quality of the release by telephone before noon of the next working day;

3. Provide written notification, within five working days, to the City of Sedona City Engineer of the type, volume, cause of the discharge, corrective actions taken, and measures to be taken to prevent future occurrences.

14 – 1 – 15 ENFORCEMENT

14 – 1 – 15 . 01 Notice of Violation, Corrective Action, and Penalties

Upon discovery of a violation of this chapter, the the City Engineer, or authorized representative may issue to the violator a written notice stating the nature of the violation, the corrective action required, the time frame for corrective action, and the penalties for continued non-compliance. The statement shall inform the owner or occupant that failure to pay the penalties will result in a lien against the property. The notice shall be served either by personal service or certified mail, upon the owner, the owner's agent, the occupant, or the lessee. The Notice may also be delivered by posting upon the facility at location(s) where it is likely to be seen.. The notice may also require the violator to:

1. Submit a corrective action plan to the City Engineer indicating the cause of the violation, corrective actions to prevent recurrence, and a proposed compliance schedule;

2. Pay all costs of sampling and analysis, as well as costs for laboratory sample analysis;

3. Clean up any material that has left the property or has the potential to impact Storm Water runoff, ensure that the clean up has been completed, and make changes in operations to prevent future releases;

4. Obtain and pay for the services of a qualified person to oversee and certify that corrective actions needed to resolve the violation have been completed;

5. Prepare and implement a Best Management Practices Plan to prevent Storm Water pollution, regardless of AZPDES/NPDES requirements;

6. Stop work on clearing, dredging, grading, excavating, storing, transporting, and/or filling of land, new construction, improvements, alterations, or additions;

7. Stop any activity that is in violation of this chapter;

8. Abate, within the time specified in the notice, any condition that is in violation of this chapter; and

9. Abate immediately any condition in violation of this chapter, if the City Engineer or authorized representative determines that such condition presents an immediate threat to public health, safety, or the environment;

If violator refuses or is unable to immediately abate a condition that presents an immediate threat to public health, safety or the environment the City may use all means necessary to abate the incident to protect the public health, safety or the environment and the City may charge all costs of such abatement to the violator.

The City may approve the compliance schedule or corrective action plan utilizing Best Management Practices submitted by the violator, or may require an alternative compliance schedule or corrective action plan utilizing Best Management Practices. This shall be done within the period specified in the notice. If the City discovers a condition that is likely to cause or is causing a discharge that threatens public health, safety or the environment, mitigation may include an immediate cessation of activity and abatement.

The remedies in this Section are cumulative and the City may seek one or more such remedies.

It is a civil infraction for any person to violate this Section or fail to comply with a notice of violation issued under this Section.

Any person violating this Section shall be liable to the City for all damages, costs, fines and penalties incurred by the City as a result, and shall defend, indemnify, and hold harmless the City against any resulting claims, liabilities or damages.

14 – 1 – 15 . 02 Appeal of Violation

Any person receiving a notice of violation may appeal the determination. The notice of appeal must be received by the City Engineer within ten (10) calendar days from the date of the notice:

1. The appeal must be in writing, state the objection to the notice of violation, provide a mailing address for a response, and be mailed or delivered to the City Engineer;

2. The City Engineer may, within ten (10) working days of the receipt of an appeal, provide a written response to the person appealing which shall be delivered either by mail or by

personal delivery. No response within 10 working days shall be deemed to be a denial of the appeal.

3. Appeal of the City Engineer response or lack thereof to the Notice of Appeal shall be in accordance with City Code Article 3-7 if the claim is monetary in nature. The cause of action shall be deemed the notice or violation .
4. If the claim or demand is of other than solely monetary in nature appeal of the City Engineer response or lack thereof shall be made to the City Manager. Notice of such appeal shall be mailed to the City Attorney who shall schedule a hearing to be conducted by the City Manager, who shall admit all probative and reliable evidence without regard to formal rules of evidence or procedure. The person requesting an appeal may be heard in person and/or by an authorized representative at such hearing. Following the hearing, the City Manager shall issue a decision as to whether the notice of violation was supported by the evidence;
5. Appeal of the City Manager decision may be made in a court of competent jurisdiction.

14 – 1 – 15 . 03 Cost of abatement of the Violation

Within thirty (30) calendar days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within fifteen (15) calendar days. If the amount due is not paid within fifteen (15) calendar days or by the time in which to file for an appeal is expired, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. The assessment shall be recorded in the office of the Yavapai County Recorder or Coconino County Recorder , including the date, amount of the assessment, and the legal description of the property against which the assessment is made. From the date of its recording, the assessment shall be a lien on the property and shall accrue interest at the rate prescribed by Arizona Revised Statutes, Section 44-1201. The City shall have the right to bring an action to enforce the lien in the Superior Court of Yavapai County at any time after the recording of the assessment, but failure to enforce the lien by such action shall not affect its validity. The recorded assessment shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the recording of the assessment.

14 – 1 – 15 . 04 Injunctive Relief

It shall be unlawful for any person to violate any provisions or to fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate any provisions of this chapter, the City may petition the Yavapai County Superior Court for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

14 – 1 – 15. 05 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties provided herein, if any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance by the City, such condition

may be immediately abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken. Nuisances under this Article are also subject to enforcement under Article 9 of this Code.

14 – 1 – 15. 06 Remedies Not Exclusive

The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City of Sedona to seek cumulative remedies. The City may recover all attorneys ' fees, court costs, and other expenses associated with enforcement of this chapter, including sampling and monitoring expenses.

U.S. Environmental Protection Agency
Region 9
Water Division
75 Hawthorne Street
San Francisco, CA 94105-3901

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) COMPLIANCE AUDIT

CITY OF SEDONA

AUDIT REPORT

Audit Date:
October 27–28, 2011

Report Date:
December 13, 2011

Executive Summary

On October 27-28, 2011, the U.S. Environmental Protection Agency's (EPA) contractor, PG Environmental, LLC (hereinafter, PG), conducted an audit of the City of Sedona Municipal Separate Storm Sewer System (MS4) Program with assistance from Arizona Department of Environmental Quality (ADEQ) staff (hereinafter, collectively, the Audit Team).

This audit report identifies potential permit violations, program deficiencies, and positive attributes and is not a formal finding of violation. Program deficiencies are areas of concern for successful program implementation. Positive attributes indicate overall progress in implementing the Program.

Several elements of the City's MS4 Program were particularly notable:

1. A Storm Water Ordinance had been developed by the City in 2007 as a means to regulate specific activities, prevent and/or minimize pollution from storm water runoff, and provide a means for assessing penalties as appropriate. The development of the Storm Water Ordinance showed a commitment by the City to implement a comprehensive MS4 program.
2. The City demonstrated tools and a willingness to address and eliminate illicit discharges to the City's MS4. Staff interviewed during the audit appeared knowledgeable and motivated to prohibit, remove, and respond to illicit connections and discharges within the City's MS4. During the audit, City staff described the process for identifying illicit discharges, steps taken to eliminate the discharge, provided several examples of stop work orders issued to facilities with illicit discharges, and also demonstrated the role of the City's legal department in the process. Additionally, the City had maintained good record keeping of the illicit discharge incidents and provided copies of records of past illicit discharge investigations for the Audit Team.
3. The City used GIS to develop a map of the MS4 and associated outfalls and demonstrated that the map of the MS4 had been continually updated.
4. The City had established requirements for both commercial and residential developments which require the incorporation of post-construction best management practices (BMPs) and specifies requirements for submission of a maintenance plan for long-term maintenance of permanent controls.
5. The City provided documentation showing they had coordinated with the Arizona Department of Transportation (ADOT) to establish maintenance agreements to ensure proper maintenance of permanent controls discharging to Oak Creek.
6. The City had developed partnerships with other organizations, including the Oak Creek Watershed Council and Keep Sedona Beautiful, to distribute educational materials and conduct outreach activities within the City.

The following potential permit violations and program deficiencies are considered, by the Audit Team, to be the most significant:

1. Three active illicit discharges were observed during the audit and efforts to proactively identify and prevent illicit discharges to the MS4 could have been improved. This included the development of written policies or procedures as the current process appeared to rely extensively on institutional knowledge of a few key staff members.
2. The City had not implemented adequate procedures for site inspections and enforcing the effective use of BMPs for a Capital Improvement Project (CIP) construction project.
3. The City had not established an inventory of post-construction BMPs that had been deployed.
4. The City had not developed an inspection program to ensure the long-term maintenance and operation of post-construction BMPs.
5. The City had not deployed adequate best management practices at their Maintenance Facility.

CONTENTS

Section 1.0 Introduction

On October 27–28, 2011, the Arizona Department of Environmental Quality (ADEQ) and a U.S. Environmental Protection Agency's (EPA) contractor, PG Environmental, LLC, (hereinafter, collectively, the Audit Team) conducted an audit of the City of Sedona Municipal Separate Storm Sewer System (MS4) Program.

The City of Sedona is approximately 18.3 square miles and is fully within the Oak Creek Watershed. Oak Creek is designated a Unique Waterway by the State of Arizona and is the major waterway that passes through the City. City of Sedona is responsible for a portion of State Route 89A which was conveyed to the City and the incorporated boundaries of the City, with the exception of State Highway Route 179 and the Sedona Airport. The City's MS4 is primarily composed of culverts, roadside drainage ditches, and washes, with few large drainage channels.

Section 1.1 Permit and Storm Water Management Plan

Discharges from the City of Sedona (hereinafter, the City or Permittee) MS4 are regulated under the provisions of the Arizona Pollutant Discharge Elimination System program (Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1 and Arizona Administrative Code, Title 18, Chapter 9, Articles 9 and 10), Permit No. AZG2002-002, *State of Arizona Pollutant Discharge Elimination System General Permit for Discharge from Small Municipal Separate Storm Sewer Systems (MS4s) to Waters of the United States*, (hereinafter, the Permit), effective December 19, 2002. The Permit expired on December 19, 2007, but has been administratively extended by ADEQ.

The Permit authorizes the City to discharge storm water runoff and certain non-storm water discharges from its Small MS4 to waters of the United States, under the Permit terms and conditions. Part V, *Storm Water Management Program (SWMP)*, Section A of the Permit requires the City to develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from the regulated Small MS4 to the maximum extent practicable (MEP) to protect water quality.

Pursuant to Part V of the Permit, the Permittee developed a Storm Water Management Program (dated July 2008). The City was first permitted in December 2002, and it has been developing its MS4 Program since that time. At the time of this audit, the City was in Permit Year nine.

Section 1.2 Purpose of Audit

The purpose of the audit was to obtain information that will assist EPA and ADEQ in assessing the City's compliance with the requirements of the Permit and associated SWMP, as well as the implementation status of the City's SWMP. The audit schedule is presented as Appendix A. The Exhibit Log and Photograph Log are provided as Appendices B and C, respectively. Copies of the Permit, SWMP, and 2009 and 2010 Annual Reports are included as Appendices D, E, and F, respectively.

Section 1.3 Program Areas Evaluated

The audit focused on the MS4 Program components and associated Permit requirements with the following Minimum Control Measures (MCMs):

MCM 1 Public Education and Outreach
MCM 2 Public Involvement/Participation
MCM 3 Illicit Discharge Detection and Elimination
MCM 4 Construction Site Storm Water Runoff Control

MCM 5 Post-Construction Storm Water Management in New Development and Redevelopment
MCM 6 Pollution Prevention/Good Housekeeping for Municipal Operations

The Audit Team did not observe deficiencies regarding MCM's 1 and 2 during the audit; therefore, no further discussion of these MCMs are included in this report. Observations regarding the City's implementation of MCM's 3-6 have been included in this report.

Section 1.4 Audit Process

The Audit Team obtained information through a series of interviews with representatives from the City's Public Works Department, along with a series of site visits, record reviews, and field verification activities. It should be noted that this audit report does not attempt to comprehensively describe all aspects of the City's SWMP, fully document all lines of questioning conducted during personnel interviews, or document all in-field verification activities conducted during site visits.

EPA contractor representatives presented their credentials at the opening meeting held at the City Hall. The primary representatives involved in the audit were the following:

City of Sedona MS4 Audit: October 27–28, 2011	
Public Works Department	Charles Mosley, Director of Public Works & City Engineer J. Andy Dickey, P.E., Assistant City Engineer David Peck, Assistant Engineer
Arizona Department of Environmental Quality	Mindi Cross, Manager Water Quality Compliance Section Kailash Bhatt, Manager Water Quality Field Services Unit
EPA Contractors	Wes Ganter, PG Environmental, LLC Marleina Overton, PG Environmental, LLC

Section 2.0 Program Evaluation Results

This audit report identifies potential permit violations, program deficiencies, and positive attributes and is not a formal finding of violation. Program deficiencies are areas of concern for successful program implementation. Positive attributes indicate a permittee's overall progress in implementing the SWMP. The Audit Team documented only positive attributes that were innovative (beyond minimum requirements). Some areas were found to be simply adequate; that is, neither particularly deficient nor innovative.

During the audit, the Audit Team obtained documentation and other supporting evidence regarding compliance with the Permit and associated SWMP. The SWMP contains citations to the Permit, BMP requirements, objectives, implementation timetable, and measurable goals. Referenced documentation used as supporting evidence is provided in Appendix B, and photo documentation is provided in Appendix C.

Section 2.1 Illicit Discharge Detection and Elimination

Part V, Section B.3.a, *Illicit Discharge Detection and Elimination*, of the Permit requires the City to develop, implement, and enforce an illicit discharge detection and elimination (hereinafter, IDDE) program. Specific requirements and components related to the City's IDDE program are outlined in Part V, Sections B.3 (b) - (g) of the Permit. Descriptions and details regarding the audit observations, as well as supporting documentation, regarding this MCM are provided in this section.

Potential Permit Violations:

2.1.1 Illicit discharges were observed during the audit. Part V, Section B.3.a of the Permit requires the Permittee develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4, except those non-storm water discharges listed in Part V, Section B.3.a (i and ii) of the Permit. The best management practice (hereinafter, BMP) cited in Table 3.1 of the City's SWMP states to meet the Permit requirements a City Ordinance would be developed that addresses illicit discharges and dumping and specifies three measurable goals. While the City had developed a Storm Water Ordinance (see Appendix B, Exhibit B), the Audit Team identified three instances of illicit discharges within the City's MS4 during the audit. One instance of illicit discharge was observed at Posse Grounds Park, which is a city-owned park and the other two instances were at privately owned commercial properties. Observations relevant to the Permit requirements for identifying and eliminating illicit discharges are discussed below.

In the first instance, the Audit Team along with City staff conducted a site visit at the City Public Works Department's Maintenance Yard located in the Posse Grounds Park. Based on discussions between the Audit Team and City staff, equipment washing outside the maintenance building had occurred prior to the Audit Team arriving on site (see Appendix C, Photograph 1). The Audit Team did not observe any BMPs onsite to capture wash water. While it was not apparent that that there was a discharge to the MS4, equipment washing at City-owned facilities should not occur unless the proper BMPs are in place to capture potential runoff and prevent discharging to the MS4.

The second instance of prohibited discharge was at a private facility operated by Brewer Brothers Contracting Yard, which according to City staff provides multiple contract services to the City. At the time of the audit, the Audit Team observed a prohibited discharge from a water truck parked on site which was discharging directly into the MS4 (see Appendix C, Photographs 2 through 4). An aboveground storage tank (AST) labeled "non-highway diesel fuel" was observed on site. The Audit Team observed visible staining on the ground next to the fuel nozzle coming from the AST and no BMPs, such as a tray or drip pan were observed under the nozzle. Additionally, the Audit Team observed material stockpiling, waste handling, vehicle and equipment storage, and poor housekeeping during the site visit. Due to the types of activities occurring on site, potential discharges from the site were a concern to the Audit Team. The findings at this site are further discussed in Sections 2.4.1 and Section 2.5 of this report.

In the third instance, a discharge was observed from an auto detailing shop at a commercial warehouse where wash water was observed coming from inside of the building flowing over an asphalted area onto a gravel parking area (see Appendix C, Photograph 5). While a discharge to the MS4 was not observed at the time of the audit, there was a potential for discharge to the catch basin adjacent to the entrance to the commercial property.

As discussed in 2.1.2, the City did demonstrate their ability to identify, respond to, and eliminate illicit discharges; however, it is recommended that the City consider evaluating existing operations at city-owned facilities and investigate the operations at facilities of entities contracted to perform work for the City to ensure detection, identification, and elimination of non-storm water discharges in the same manner

for which other illicit discharges would be handled. Furthermore, developing SOPs to identify and eliminate illicit discharges would ensure proper implementation of the IDDE program throughout the City.

Deficiencies Noted:

2.1.2 The City's IDDE Program was effective but observed to be largely reactive. Part V, Section B.3.b of the Permit requires the Permittee "develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls." The BMP cited in Table 3.1 of the City's SWMP states that, to meet the Permit requirements for the development of a storm sewer system map, the City is to "identify locations of the outfalls and possible entry points of illicit discharges" and specifies three measurable goals to identify locations of all outfalls, map these locations, and identify pollutant sources through illicit discharge inspections.

During the audit, the City staff did not provide the Audit Team with documentation or procedures to ensure the City was utilizing a storm sewer system map to proactively, on a routine basis, identify locations of the outfalls and possible entry points of illicit discharges. The SWMP states that the City conducted an investigation, using data from the City's business licensing program, to identify potential pollutant sources. However, the SWMP indicates the City determined that the use of the business licensing program would not be a viable mechanism for identifying potential pollutant sources and instead potential pollutant sources would be identified by inspections conducted by City staff. City staff explained that the City intended to hire a dedicated inspector tasked with conducting commercial business inspections, but the City has not hired for this position due to lack of funding.

The Audit Team submitted a Records Request, via email, to the City on October 19, 2011 and requested the Permittee provide "2 - 3 hardcopy examples of a completed illicit discharge incident that includes identification, response, and remedy (see Appendix B, Exhibit 1, Item No. 10)." The City provided three examples of IDDE incidents and the examples included letters to the parties responsible for the illicit discharge, a stop work order, an incident tracking sheet, a photograph of the discharge, and example of a legal case file (see Appendix B, Exhibit 2). While each of these examples indicates the City was able to identify, take action, and utilize legal authority to eliminate illicit discharges, the Audit Team recommends the City further investigate developing a proactive inspection program to identify and track potential pollutant sources to prevent the occurrence of illicit discharges to the City's MS4 as opposed to the reactive approach of addressing reported prohibited discharges.

2.1.3 The City had not developed written procedures for identifying, locating, or eliminating illicit discharges. Part V, Section B.3.d of the Permit requires the Permittee "develop and implement a plan to detect, identify the source of, and address non-storm water discharges, including illegal dumping, to the system." The BMP cited in Table 3.1 of the City's SWMP states the City will "eliminate identified illicit system connections" utilizing specific measurable goals to enforce the Storm Water Ordinance (see Appendix B, Exhibit 3) and will, additionally, use the aid of the Attorney's Office to notify offending parties. The City staff interviewed during the audit appeared knowledgeable and motivated to prohibit, remove, and respond to illicit connections and discharges in the City. However, it appeared that the IDDE program was largely dependent on institutional knowledge among a few staff within the City. According to City staff, written standard operating procedures (SOPs) for detection and elimination of illicit discharges had not been developed. The absence of written SOPs to detect, identify the source of, and address non-storm water discharges may hinder future successor's ability to carryout the IDDE Program.

Section 2.2 Construction Site Storm Water Runoff Control

Part V, Section B.4.a, *Construction Site Storm Water Runoff Control*, of the Permit requires the Permittee to "develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre." The Construction Site Storm Water Runoff Control Program must include, at a minimum, the specific requirements listed in Part V, Sections B.4. (b) – (e) of the Permit.

During the audit, the Audit Team conducted site visits at a total of five construction sites, which included three active construction sites and two inactive construction sites. Two of the active sites were City-owned projects administered by the City's Public Works Department and the third active site was a private condominium complex with an active building permit regulated under the authority of the City's Community Development Department. The two inactive construction sites were an additional condominium complex and a six-lot single-family residential site. Observations and findings at four of these sites are discussed in Sections 2.2.1 and 2.2.2 below. The purpose of the site visits was to assess the City's oversight activities for storm water compliance at construction sites. Summary observations pertaining to a subset of these sites are presented below where they directly pertain to the City's oversight obligations under the Permit.

Potential Permit Violation:

2.2.1 The City had not adequately implemented procedures for site inspection and enforcement of BMP control measures on a Capital Improvement Project (CIP) construction project. Part V, Section B.4.d of the Permit requires the City to "develop and implement procedures for site inspection and enforcement of control measures for those sites described in Part V, Section B.4.a." The Audit Team submitted a Records Request, via email, to the City on October 19, 2011 and requested the Permittee provide "Construction inspection and enforcement procedures (see Appendix B, Exhibit 1, Item No. 17)." The City was able to provide written procedures for site inspection and enforcement of control measures as specified in the SWMP. However, the City was not able to demonstrate implementation of these procedures on an active CIP project visited by the Audit Team.

The Audit Team conducted a site visit at the Dr. Nancy J. Alexander Administration Center. City staff informed the Audit Team that a rain event had occurred the day prior to the site visit. The Audit Team observed sediment accumulation in the drainage system and identified visual evidence of sediment discharge directly to a receiving water body (see Appendix C, Photographs 6 through 8). The Audit Team also observed an area within the drainage channel where earth disturbing activities had recently occurred which appeared to further contribute to the discharge of sediment into a receiving water body (see Appendix C, Photograph 9). In addition, rocks, sediment, and green waste were observed at the culvert inlet near the northwest corner of the south parking lot (see Appendix C, Photograph 10). Furthermore, sediment accumulation on the asphalt parking area adjacent to the blocked curb cut to the rip rap drainage channel was observed (see Appendix C, Photograph 11). The site SWPPP indicated straw wattles, inlet protection devices, and sand bags would be deployed. According to City staff, BMPs had been installed on site per the SWPPP based on previous inspections, but the Audit Team did not observe these BMPs at the site. For example, City staff indicated during the site visit that check dams had been installed as a BMP. However, the area referred to by the City staff as a "check dam" appeared to be a terraced block wall constructed as a landscape feature and was not included in the SWPPP as a BMP (see Appendix C, Photograph 12). All BMPs must be installed per the approved SWPPP and maintained until final stabilization is achieved on site. It should be noted that the Audit Team conducted a review of the site specific SWPPP submitted to the City upon their return to the City offices on the day of the site visit. The Audit Team recommends the City evaluate the procedures for site inspection and enforcement of control measures on CIP projects. As with commercial and residential development, City staff should implement

procedures to regularly inspect all CIP projects and ensure implementation of site-specific SWPPPs and BMPs for the duration of land disturbing activities.

Deficiency Noted:

2.2.2 Erosion and sediment control BMPs required improvement. Site conditions at two active construction sites and one inactive construction site indicated that improved installation and maintenance of BMPs and deployment of additional BMPs were required. The Audit Team observed an insufficient number of BMPs, improper installation of BMPs, and inadequate BMP maintenance at a City sponsored project and at a private development site.

The Audit Team observed limited BMPs installed on the project site and in the project staging area at the City's Harmony Windsong Phase II project. Sand bags were used in the lined channel downstream of the project and were also installed on one side of a catch basin adjacent to the project area (see Appendix C, Photographs 13 and 14); however, BMPs were not adequately placed in the channel and around the catch basin. Perimeter controls were not observed to be implemented in the staging area for construction material storage and aggregate stockpiling area (see Appendix C, Photograph 15). Installing redundant BMPs in the lined channel and around the catch basin to prevent and capture sediment would decrease the potential for sediment entering the MS4 and discharging to receiving water bodies.

During the site visit at the Vista Montana project on Posse Ground Road for the construction of a three-unit condominium, a lack of redundant BMPs and inadequate installation of BMPs was observed by the Audit Team. One of the construction site entrances was observed to need maintenance of the vehicle tracking control pad (i.e., additional gravel) to prevent sediment tracking off-site. Straw wattles were observed on the southern portion of the site down gradient of an area of disturbance; however, the wattles were not been entrenched and evidence of undercutting was observed (see Appendix C, Photograph 16). Additionally, an undesignated exit from the project was observed in the northern portion of the site and visible evidence of vehicle tracking was observed. The Audit Team did observe the effective use of a vegetative buffer area located in the southeast portion of the site and a gravel area was designated for parking at the site. However, the BMP installation practices listed above could be improved to ensure BMPs are installed according to the manufacturer (or SWPPP) specifications in order to prevent erosion and potential transport of sediment offsite.

The Audit Team and City staff conducted a site visit at the Park Place property which City staff explained to be part of a phased condominium construction project, but the site was inactive at the time of the audit. The City staff indicated that the site did not have any active permits and there was no evidence of recent land disturbance. During the site visit, the Audit Team observed evidence of rill and gully erosion along the side of a cut slope on the undeveloped property. A substantial volume of eroded soil was deposited at the base of the cut slope, but the soil had not migrated off site (see Appendix C, Photograph 17). Gravel had been spread in an area at the base of the slope, but the Audit Team was not able to verify if this was a BMP installed to prevent soil migration offsite. Additionally, perimeter BMPs were not observed along the boundary of the undeveloped property to prevent sediment from entering the drainage system constructed as part of the completed Park Place phase. The Audit Team observed soil in the curb and gutter of the completed Park Place phase, which appeared to be coming from the undeveloped property (see Appendix C, Photograph 18). Deteriorated hay bales were observed up gradient from a permanent drainage channel constructed as part of the completed phase of Park Place (see Appendix C, Photograph 19). The Audit Team also observed two sediment stockpiles outside the gates of the project (See Appendix C, Photograph 20). While the stockpiles appeared to be in a depression, BMPs were not observed to prevent the potential transport of materials offsite. Although the site was observed to be inactive, it did not appear that the site had been stabilized to prevent the transport of material offsite during inactivity.

Section 2.3 Post-Construction Storm Water Management in New Development and Redevelopment

As stated in Part V, Section B.5.a, *Post-Construction Storm Water Management in New Development and Redevelopment,* of the Permit, the City is required to "develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than once acre that are part of a larger common plan of development or sale, and discharge into the small MS4". The post-construction storm water management program must include, at a minimum, the specific requirements in Part V, Sections B.5. (b) – (e) of the Permit.

Potential Permit Violations:

2.3.1 The City had not established an inventory of post-construction BMPs implemented at development sites. Part V, Section B.5.d of the Permit requires the City to "ensure adequate long-term operation and maintenance of BMPs." During the audit, the City staff appeared to have knowledge of the type and location of post-construction BMPs previously installed; however, it was not apparent to the Audit Team that a documented process had been developed for tracking post-construction BMPs or their respective maintenance obligations.

The Audit Team formally requested a "database/map of post-construction BMPs with location and maintenance status (differentiating municipally owned and operated from private)" (see Appendix B, Exhibit 1, Item No. 28), but the City did not provide the requested records. An inventory of post-construction BMPs provides a structured approach to ensure adequate operation of BMPs and their proper long-term maintenance. The development of an inventory to track post-construction BMPs which identifies the location of post-construction BMPs and documents the condition of the BMPs can be used as a tool to document that site owners and operator's perform required maintenance activities per recommended standard specifications or in accordance with the submitted maintenance plan and ensure adequate long-term operation and maintenance of BMPs.

2.3.2 The City had not developed procedures for inspecting post-construction BMPs to ensure long-term operation and maintenance. Part V, Section B.5.e.ii of the Permit requires the City to describe the "established ordinance or other regulatory mechanism used to address post-construction runoff control" and procedures to ensure compliance with local regulations. The SWMP specifies the City will "develop a site inspection program that institutes maintenance requirement for structural and non-structural BMP's for long-term soil stabilization and water quality improvement" starting December 2006 with full implementation by July 2007. The City did not provide documentation showing they had developed a site inspection program. In addition, the City's 2010 Annual Report (see Appendix F) indicated it has not started the development of this BMP. At the time of the audit, the City had not developed procedures for inspection of permanent controls to ensure proper long-term operation and maintenance.

The City staff were unable to provide the Audit Team with written procedures for inspecting post-construction BMPs (i.e., SOPs). The City staff discussed inspecting post-construction BMPs with the Audit Team. However, the procedures for inspecting post-construction BMPs appeared to be largely dependent on institutional knowledge among staff within the city. The Audit Team discussed the preparation and implementation of site inspection procedures for the operation and maintenance of post-construction BMPs and recommended the procedures may be structured similar to those developed by the City for construction site inspections outlined in Appendix B of the City's 2008 SWMP (see Appendix E). A successful post-construction BMP inspection program which includes identification, location, and condition of BMPs could be used as a tool to confirm operators are conducting maintenance of BMPs, and scheduling inspections regularly to ensure long-term operation and maintenance of BMPs.

Section 2.4 Pollution Prevention/Good Housekeeping for Municipal Operations

Part V, Section B.6.a, *Pollution Prevention/Good Housekeeping for Municipal Operations*, of the Permit requires the City "develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance." Provisions in Part V, Sections B.6.a. (i)-(iii) establish specific requirements to be addressed as part of the operation and maintenance program.

Potential Permit Violation:

2.4.1 Concerns pertaining to improper pollution prevention practices were noted during site visits at a municipal facility. Part V, Section B.6.a.ii of the Permit requires the City to include as part of an operation and maintenance program "controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas."

During a site visit at the Posse Grounds Park, the Audit Team observed offsite tracking and evidence of equipment washing. The Audit Team observed sediment accumulation in curb and gutters on multiple occasions and high sediment loads accumulating at catch basins. The City staff indicated street sweeping is conducted on a quarterly basis and the services are performed under contract with a private company. The Audit Team discussed the consideration of increasing the frequency of street sweeping with the City to ensure as much sediment as possible is captured. Additionally, the City may consider developing procedures to identify areas where sediment loads are typically high in order to evaluate the potential for establishing permanent control measures or to address more frequent cleaning and sediment removal.

City staff stated that many services related to maintenance of the MS4 had been performed by a private company under contract with the City. The Audit Team identified a potential illicit discharge during a site visit conducted at a private yard operated by the company that performs maintenance activity for the City (see Section 2.1.2 for additional details regarding Brewer Brothers Contracting's Yard). In addition to the potential illicit discharge discussed in Section 2.1.1, the Audit Team identified other operations being conducted at the site which may require state or local permits. Recommendations based on the observations made during the site visits are provided in the Section 2.5, Additional Observations, below.

Section 2.5 Additional Observations

The Audit Team made several additional observations during the audit. A description of the observations and recommendations are provided below.

- The City staff indicated brochures had been developed for visitors, residents, and the construction industry that discuss roles in preventing storm water pollution. The brochures are made available at City Hall and are also distributed to residents and the construction industry via mail annually. Additionally, various events related to storm water pollution prevention are held at schools and in the community throughout the year. In addition to these public education and outreach efforts, the City should consider conducting a survey in the community to measure the effectiveness of the existing public education and outreach program. The survey could be tailored to address pollutants of concern.
- The City should consider developing a program for stenciling catch basins to inform the public that the structure is part of the City's MS4 and ultimately discharges to a receiving water body,

such as Oak Creek. Similar programs have been employed by other MS4s throughout the country and have provided increased awareness throughout the community of water quality and storm water pollution prevention. In some cases, schools, non-profit organizations, and other volunteers have participated in the stenciling event providing an economical and cost-effective BMP resource for MS4s to utilize.

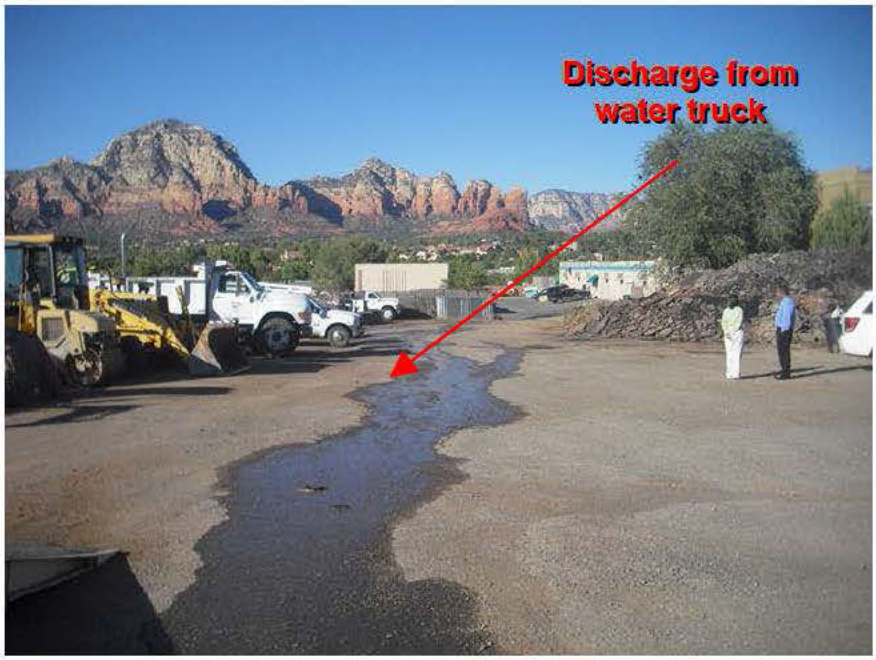
- As a recommendation for improving the IDDE program, the City may consider developing a system to track illicit discharges for performance trending for their MS4 Program. As an example, the City may consider establishing a centralized telephone number and/or website for the community to report illicit discharges or maintain a dataset of illicit discharge events that allows for periodic examination and reanalysis of approach.
- During the audit, a site visit was conducted at a property operated by Brewer Brother's Contracting. In addition to the illicit discharge discussed in Section 2.1.1 above, the Audit Team observed activities that may require state or local permits for activities being conducted on site. The Audit Team observed green waste, asphalt millings, aggregate, soil, and waste stockpiled on the site (see Appendix C, Photograph 21). An equipment fueling area (see Appendix C, Photograph 22) and various trucks and paving and construction equipment parked on the site were also observed. Due to the type of activities occurring on site, the facility may be subject to the Multi-Sector General Permit for Industrial Activity and may also require a permit for storing waste material.

Appendix C
Photograph Log

Photograph 1. Public Works Maintenance Facility – Pervious area where equipment washing had occurred outside maintenance building.

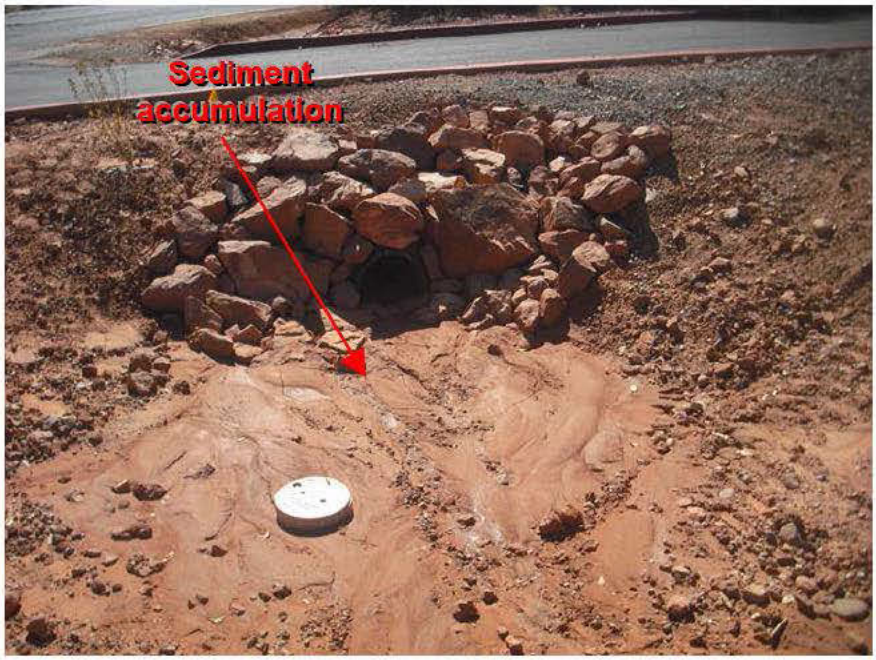
Photograph 2. Commercial Construction Yard – View of discharge from Brewer Brothers Contracting property to the City MS4.

Photograph 3. Commercial Constrtuction Yard – Valve open on water truck and discharging on pervious surface on the Brewer Brothers Contracting property.



Photograph 4. Commercial Construction Yard – Discharge flowing down gradient from water truck parked at the back of property eventually exiting the property and entering the MS4.

Photograph 5. Commercial auto detailing shop – View of discharge outside building where auto detail shop is located.



Photograph 6. Dr. Nancy J. Alexander Administration Center – View of sediment accumulation in drainage channel.

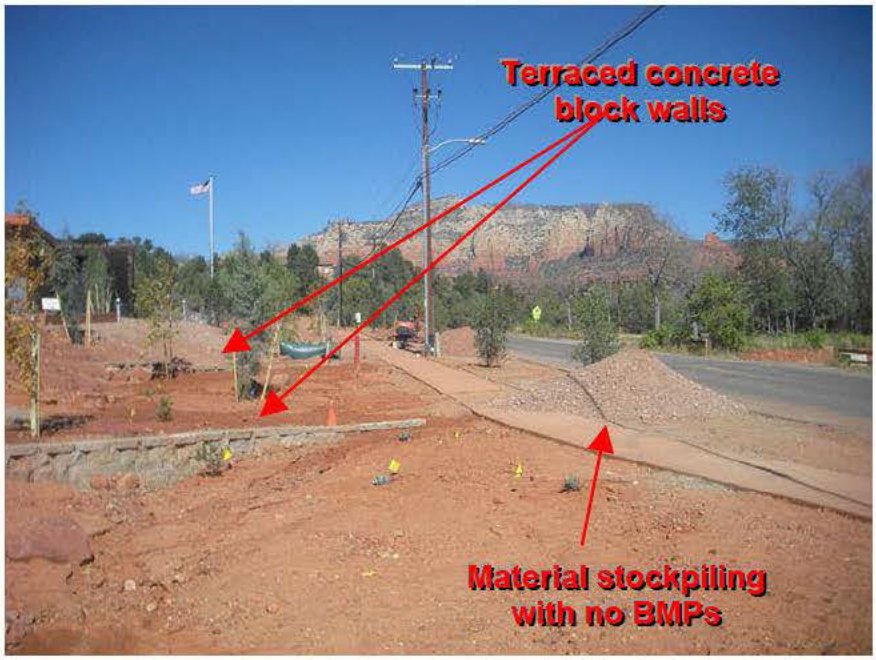
Photograph 7. Dr. Nancy J. Alexander Administration Center – View of sediment accumulation in drainage channel.

Photograph 8. Dr. Nancy J. Alexander Administration Center – View of natural wash showing evidence of discharge from construction site.

Photograph 9. Dr. Nancy J. Alexander Administration Center – View of earth disturbing activities along drainage channel that facilitated discharge to wash.

Photograph 10. Dr. Nancy J. Alexander Administration Center – Rocks, sediment and green waste accumulation at culvert inlet near the northwest corner of the south parking lot.

Photograph 11. Dr. Nancy J. Alexander Administration Center – View of sediment accumulation on asphalt parking area.



Photograph 12. Dr. Nancy J. Alexander Administration Center – Concrete block wall used as landscape feature and material stockpiling along boundary of site with no BMPs.

Photograph 13. Harmony Windsong Phase II Project – View of sand bags used in drainage channel downstream of City's project.

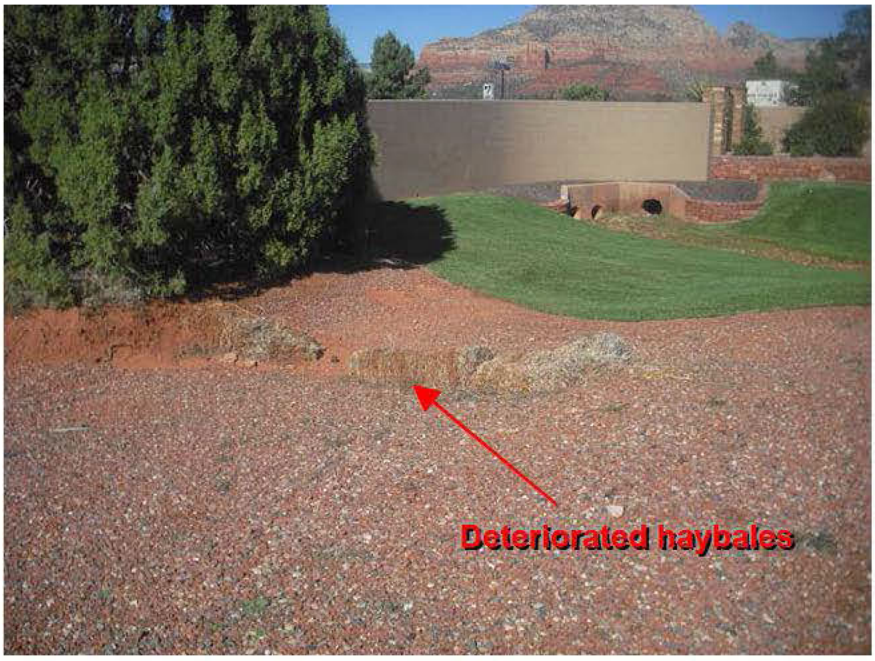
Photograph 14. Harmony Windsong Phase II Project – View of sandbags on one sige of catch basin.

Photograph 15. Harmony Windsong Phase II Project – Material stockpiling at staging yard for City project. No perimeter controls observed.

Photograph 16. Residential Construction Project – Straw wattles installed as perimeter control were not entrenched.

Photograph 17. Residential Construction Project – Rill and gully erosion observed along cut slope. Sediment accumulation at base of cut.

Photograph 18. Residential Construction Project – Sediment migrating from undeveloped phase into curb and gutter of completed phase of project. No perimeter controls observed on undeveloped phase of Park Place project.



Photograph 19. Residential Construction Project – Deteriorated hay bales on undeveloped phase of Park Place project.

Photograph 20. Residential Construction Project – Material stockpiling outside gates of undeveloped phase at Park Place.

Photograph 21. Commercial Construction Yard – Aboveground Storage Tank labeled "Non-Highway Diesel Fuel".

Photograph 22. Commercial Construction Yard – Material stockpiling including waste, asphalt millings, green waste.

Permit No. AZG2002-002

STATE OF ARIZONA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
PHOENIX, ARIZONA 85012-2809

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR DISCHARGE FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) TO WATERS OF THE UNITED STATES

In compliance with the provisions of the Arizona Pollutant Discharge Elimination System program, (Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1 and Arizona Administrative Code, Title 18, Chapter 9, Articles 9 and 10), this general permit authorizes discharges certified under this general permit from those locations specified throughout the state of Arizona to waters of the United States. These discharges shall be in accordance with the conditions of this general permit.

This permit only authorizes discharges from those operators of small municipal separate storm sewer systems in Arizona who submit a complete Notice of Intent in accordance with Parts III and V of this general permit and who comply with the permit requirements and conditions of Parts IV and VI. All discharges authorized by this general permit shall be consistent with the terms and conditions of this general permit.

This general permit becomes effective on December 19, 2002.

This general permit and the authorization to discharge expire at midnight, December 19, 2007.

Issued this 19th day of Dec. 2002.

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Karen Smith, Director
Water Quality Division

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PART I. COVERAGE UNDER THIS GENERAL PERMIT

A. Permit Area. This permit covers the state of Arizona, except for Indian Country.

B. Eligibility.

1. This permit authorizes the discharge of stormwater from small municipal separate storm sewer systems (MS4s) provided that the permittee complies with all the requirements of this general permit and the MS4:

   a. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or

   b. Is designated for permit authorization by the Department under R-18-9-A902(D)(1), R18-9-A902(D)(2), R-18-9-A902(E), and R18-9-A905(A)(1)(f) which incorporates 40 CFR 122.32.

C. Non-Stormwater Discharges.

1. The permittee shall prohibit all types of non-stormwater discharges into its MS4 unless the discharges are authorized by a separate NPDES or AZPDES permit or not prohibited under Part I, Section C.2 or are identified by the permittee as occasional incidental non-stormwater discharges under Part V, Section B.3.a.ii.

2. The following categories of non-stormwater discharges (occurring within the jurisdiction of the permittee) are only prohibited if the discharges are identified as significant contributors of pollutants to or from the MS4. If any of the following categories of discharges are identified as a significant contributor, the permittee must address the category as an illicit discharge as specified in Part V, Section B.3:

   a. Water line flushing,

   b. Landscape irrigation,

   c. Diverted stream flows,

   d. Rising ground waters,

   e. Uncontaminated ground water infiltration,

   f. Uncontaminated pumped groundwater,

   g. Discharges from potable water sources,

   h. Foundation drains,

   i. Air conditioning condensate,

   j. Irrigation water,

   k. Springs,

   l. Water from crawl space pumps,

   m. Footing drains,

   n. Lawn watering,

o. Individual residential car washing,

p. Discharges from riparian habitats and wetlands,

q. Dechlorinated swimming pool discharges,

r. Street wash water, and

s. Discharges or flows from emergency fire fighting activities.

D. Limitations of Coverage. This general permit does not authorize:

1. Discharges mixed with sources of non-stormwater unless the non-stormwater discharges:

a. Comply with a separate NPDES or AZPDES permit, or

b. Are determined not to be a significant contributor of pollutants to waters of the United States;

2. Stormwater discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi);

3. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15);

4. Stormwater discharges currently covered under another permit;

5. Discharges to impaired waterbodies listed under section 303(d) of the Clean Water Act (CWA) if discharges from the MS4 contain, or may contain, pollutant(s) for which the waterbody is listed except:

a. If a TMDL has been established, and the stormwater management program (SWMP) is consistent with the requirements of the TMDL, including any wasteload allocation or load allocation in the TMDL. The SWMP must also identify BMPs the permittee will use to meet wasteload allocations or load allocations and include monitoring for associated pollutant(s); and

b. If a TMDL has not been established, and the SWMP includes a section describing how the program will control the discharge of 303(d) listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards. The SWMP must also identify BMPs the permittee will use to control discharges and include monitoring of their effectiveness;

6. Discharges that do not comply with Arizona's anti-degradation rule (R18-11-107). The anti-degradation rule may be obtained from the Department's Phoenix office or from the Department's Web site.

PART II. AUTHORIZATION UNDER THIS GENERAL PERMIT

A. Application for Coverage.

1. An applicant seeking authorization to discharge under this general permit shall submit to the Department a complete notice of intent (NOI), in accordance with the deadlines in Part III, Section A. The NOI must include the information and attachments required by Part III,

Section B.

If the Department notifies an applicant (either directly, by public notice, or by making information available on the Internet) of other NOI options that become available at a later date, such as electronic submission of forms or information, the applicant may take advantage of those options to satisfy the NOI submittal requirements.

2. If an operator changes or a new operator is added after an NOI has been submitted, the permittee shall submit a new or revised NOI to the Department.

3. A discharger who submits a complete NOI and meets the eligibility requirements in Part I may discharge stormwater from a small MS4 under the terms and conditions of this general permit 30 days after the date the NOI is received by the Department. For the purposes of this permit, receipt is the day the fax was sent, the day the NOI was hand-delivered to the Department, or the day the Department signed certified mail containing the NOI. Submission of the NOI demonstrates the discharger's intent to be covered by this permit; it is not a determination by the Department that the discharger has met the eligibility requirements for the permit.

4. If the Department notifies the applicant of deficiencies or inadequacies in any portion of the NOI (including the stormwater management program), the applicant must correct the deficient or inadequate portions and submit a written statement to the Department certifying that appropriate changes have been made. The certification must be submitted within the time-frame specified by the Department and must specify how the NOI has been amended to address the identified concerns.

B. Terminating Coverage.

1. A permittee may terminate coverage under this general permit by submitting a notice of termination (NOT). Authorization to discharge terminates at midnight on the day the NOT is signed.

2. A permittee shall submit an NOT to the Department within 30 days after the permittee:

   a. Ceases discharging stormwater from the MS4,

   b. Ceases operations at the MS4, or

   c. Transfers ownership of or responsibility for the facility to another operator.

3. The NOT form can be obtained from the Department and must include the following information:

   a. Name, mailing address, and location of the MS4 for which the notification is submitted;

   b. The name, address and telephone number of the operator addressed by the NOT;

   c. The NPDES or AZPDES permit number for the MS4;

   d. An indication of whether another operator has assumed responsibility for the MS4, the discharger has ceased operations at the MS4, or the stormwater discharges have been eliminated; and

   e. The following certification:

I certify under penalty of law that all stormwater discharges from the identified MS4 that are authorized by an AZPDES general permit have been eliminated, or that I am no longer the operator of the MS4, or that I have ceased operations at the MS4. I understand that by submitting this Notice of Termination I am no longer authorized to discharge stormwater under this general permit, and that discharging pollutants in stormwater to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by an AZPDES permit. I also understand that the submission of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

f. NOTs, signed in accordance with Part VI, Section L , must be sent to the Department at the following address:

Small MS4 NOT
Surface Water Permits Unit (5415 B)
Arizona Department of Environmental Quality
1110 West Washington
Phoenix, AZ 85007

PART III. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification.

1. MS4s automatically designated under R18-9-A905(A)(1)(f) are required to submit an NOI and a stormwater management program or apply for an individual permit by March 10, 2003.

2. MS4s designated under R18-9-A902(D)(1), R18-9-A902(D)(2), or R18-9-A902(E) are required to submit an NOI and a stormwater management program within 180 days of notice (unless the Department provides additional time in the designation notice).

3. New MS4s and New Operators

   a. For new MS4s within urbanized areas which commence discharges subsequent to March 10, 2003, the NOI must be submitted not later than 30 days prior to commencing discharges.

   b. For new operators of an existing MS4, the NOI must be submitted not later than two days prior to taking operational control of the MS4.

4. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions for any unpermitted discharges.

B. Contents of Notice of Intent. An applicant eligible for coverage under this general permit shall submit an NOI to discharge under this general permit. The NOI shall contain the following information:

1. The name, mailing address, and telephone number of the municipal entity applying;

2. An indication of whether the applicant is a federal, state, or other public entity;

3. The urbanized area or core municipality (if not located in an urbanized area) where the small MS4 is located; the county(ies) where the small MS4 is located, and the latitude and longitude of the approximate center of the small MS4;

4. The name of the major receiving water(s) and an indication of whether any of the receiving

waters are on the latest CWA section 303(d) list of impaired waters. If the small MS4 discharges to any 303(d) listed waters, include a certification that the SWMP meets the requirements of Part I, Section D.5;

5. An indication of whether all or a portion of the small MS4 is located in Indian country;

6. If the applicant is relying on another governmental entity to satisfy one or more permit obligations (see Part V, Section D), the identity of that entity(ies) and the element(s) the entity(ies) will be implementing;

7. The name and work position or title of the contact person;

8. The signature of the certifying official, signed in accordance with the signatory requirements of Part VI, Section L; and

9. A stormwater management program (SWMP), including best management practices (BMPs) that will be implemented and the measurable goals for each of the stormwater minimum control measures specified in Part V, Section B., the month and year in which the applicant will start and fully implement each of the minimum control measures or the frequency of the action, and the name of the person(s) responsible for implementing or coordinating the SWMP.

10. The following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. In addition I certify that the permittee will comply with all terms and conditions stipulated in General Permit No. AZG2002-002 issued by the Director.

C. Where to Submit. The applicant shall submit the signed NOI to the Department at the following address:

Small MS4 NOI
Surface Water Permits Unit, 5415B
Arizona Department of Environmental Quality
1110 West Washington
Phoenix, AZ 85007

D. Co-Permittees Under a Single NOI.

Any small MS4 that meets the requirements of Part I of this general permit may choose to partner with another regulated MS4 to develop and implement a SWMP. The MS4s may also jointly submit one NOI. If responsibilities are being shared as provided in Part V, Section D , the SWMP must describe which permittees are responsible for implementing each of the minimum measures. All small MS4 permittees are subject to the provisions in Part V, Section E.

PART IV. SPECIAL CONDITIONS

Total Daily Maximum Loads (TMDLs) Allocations Established after Permit Issuance. If a TMDL is established for any waterbody into which the permittee discharges prior to the date that the permittee or applicant submits an NOI, and if that TMDL includes a wasteload allocation or load allocation for a parameter likely to be

discharged by the MS4, the permittee must meet the requirements of the TMDL and/or its associated implementation plan. If a TMDL is approved for any waterbody into which the permittee discharges afer the date that the permittee or applicant submits an NOI, the Department may require revisions to the SWMP to ensure that the wasteload allocation, load allocation and/or the TMDL's associated implementation plan will be met. Monitoring of the discharges may also be required, as appropriate, to ensure compliance with the TMDL.

PART V. STORMWATER MANAGEMENT PROGRAM (SWMP)

A. General Requirements. An applicant shall develop, and a permittee shall implement, and enforce a SWMP designed to reduce the discharge of pollutants from a small MS4 to the maximum extent practicable (MEP) to protect water quality. The SWMP shall include management practices; control techniques; system, design, and engineering methods; and other provisions the Department determines appropriate for the control of pollutants.

1. A permittee must fully implement the SWMP, including its measurable goals, no later than December 19, 2007 (except as provided under Part V, Section A.2).

2. If a permittee is required to obtain permit coverage after March 10, 2003, the permittee shall implement the SWMP, including its measurable goals, for the period between the date of authorization to discharge and the expiration date of this permit. For example, if the permittee was authorized to discharge under this permit on March 10, 2006 the measurable goals established in the SWMP for the period between 2006 and the expiration date of this general permit must be met.

3. The SWMP shall address each of the minimum control measures of Part V, Section B and must include measurable goals, including interim milestones, for each BMP, including as appropriate, the months and years in which the MS4 will undertake the required actions and the frequency of the action. The name and title of the person or persons responsible for implementing the SWMP shall also be included.

4. The permittee shall protect water quality by ensuring, to the maximum extent practicable, that no discharge shall cause or contribute to an exceedance of applicable water quality standard. To do so, the permittee shall fully implement all SWMP and permit requirements in accordance with the established time frames.

B. Minimum control measures.

1. Public Education and Outreach on Stormwater Impacts. The permittee or applicant, as applicable, shall:

a. Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impact of stormwater discharges on waterbodies and the steps that the public can take to reduce pollutants in stormwater runoff.;

b. Include the following information in the SWMP:

i. A description of the education program and outreach activities;

ii. A description of the methods for disseminating information;

iii. The target audiences and target pollutants and sources that the applicant will address in the program, and how they were selected;

iv. An estimation of the number of people with whom the applicant intends to communicate;

v. A list of measurable goals for the public education and outreach program;

vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals

vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the education activities.

2. Public Involvement/Participation. The permittee or applicant, as applicable, shall:

a. Develop and implement a plan to encourage public involvement and participation in the development and implementation of the SWMP;

b. Comply with state and local public notice requirements when implementing the public involvement/participation program.

c. Include the following information in the SWMP:

i. A description of the general plan for informing the public of involvement and participation opportunities;

ii. The types of activities for public involvement that the program will include and the target audiences;

iii. A description of the procedure for receiving and reviewing public comments;

iv. An explanation of how interested parties may access the SWMP and NOI;

v. A list of measurable goals for the public involvement/participation program;

vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals and;

vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the public involvement/participation activities.

3. Illicit Discharge Detection and Elimination. The permittee or applicant, as applicable, shall:

a. Develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4, except those discharges listed below:

i. Non-stormwater discharges as listed in Part I, Section C.2 ; This exception does not apply to those categories of discharge which the permittee or applicant has determined to be a significant contributor of pollutants to the small MS4; or

ii. Occasional incidental non-stormwater discharges (e.g. non-commercial or charity car washes, etc.) that the permittee does not expect (based on information available to the permittee) to be a significant contributor of pollutants to the small MS4 because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the small MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs on the wash water, etc.).

b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls;

c. To the extent allowable under state or local law, effectively prohibit through ordinance or other regulatory mechanism, non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions;

d. Develop and implement a plan to detect, identify the source of, and address non-stormwater discharges, including illegal dumping, to the system;

e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;

f. Conduct dry weather field screening for non-stormwater flows. The screening must include qualitative field tests based on color, odor, or visually observed characteristics as indicators of discharge sources. If the qualitative field tests do not provide enough information for the permittee to determine the source of the discharge, the permittee must test the discharge, while in the field, for selected chemical parameters. The permittee must investigate the illicit discharge within 15 days of its detection, and must follow up investigation with an action to further study the source of the discharge or eliminate it.

g. Include the following information in the SWMP:

i. A description of detection methods;

ii. A description or citation of the established ordinance or other regulatory mechanism used to prohibit illicit discharges. If the permittee needs to develop this mechanism, describe the plan and a schedule to do so.

iii. A description of enforcement policy and jurisdiction;

iv. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.i;

v. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.ii;

vi. The methods for informing/training employees about illicit discharges;

vii. The methods for informing the public of hazards associated with illegal discharges and improper disposal of waste;

viii. A list of measurable goals for the illicit detection and elimination program;

ix. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and

x. The name(s) and title(s) of the person(s) responsible for implementing and coordinating illicit discharge detection and elimination activities.

4. Construction Site Stormwater Runoff Control. The permittee or applicant, as applicable, shall:

a. Develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the Department waives requirements for

stormwater discharges associated with small construction activity, defined under 40 CFR 122.26(b)(15)(i), the permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from these sites;

b. Using an ordinance or other regulatory mechanism available under the legal authorities of the small MS4, require construction site operators to practice erosion and sediment control and require construction site operators to control waste and properly dispose of wastes, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. This ordinance must apply, at a minimum, to those sites described in Part V, Section B.4.a.

c. Review all site plans for those sites described in Part V, Section B.4.a. for potential water quality impacts, including erosion and sediment control, control of other wastes, and any other impacts that must be examined according to the requirements of the law or ordinance of Part V, Section B.4.b. Before ground is broken at the construction site, the small MS4 operator shall review the plans and, verify (in written communication with the construction site operator) that the BMPs for the site are appropriate;

d. Develop and implement procedures for site inspection and enforcement of control measures for those sites described in Part V, Section B.4.a.;

e. Include the following information in the SWMP:

i. A description or citation of the established ordinance or other regulatory mechanism used to prohibit erosion and ensure proper management of wastes on construction sites per Part V, Section 4.b. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;

ii. A description of the sanctions and enforcement mechanism(s) to ensure compliance;

iii. A description of the procedures for site inspection and enforcement of control measures, and procedures for site plan reviews;

iv. Procedures for receipt, acknowledgment and consideration of information submitted by the public,

v. A list of measurable goals for the construction site runoff control program;

vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and

vii. The name(s) and title(s) of the person(s) responsible for overseeing construction site runoff control activities.

5. Post-Construction Stormwater Management in New Development and Redevelopment. The permittee or applicant, as applicable, shall:

a. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, and discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts;

b. Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the community;

c. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under the legal authorities of the small MS4;

d. Ensure adequate long-term operation and maintenance of BMPs; and

e. Include the following information in the SWMP:

i. A description of the management practices to reduce post-construction runoff from new development and redevelopment projects within the MS4; address any specific priority areas and tailor to the local community;

ii. A description or citation of the established ordinance or other regulatory mechanism used to address post-construction runoff control. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;

iii. A description of the procedure to ensure compliance with local requirements;

iv. A description of the education program for developers, architects and the public about project designs that minimize water quality impacts;

v. An identification of the measurable goals for the post-construction runoff control program;

vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and

vii. The name(s) and title(s) of the person(s) responsible for the development, implementation, and enforcement of post-construction stormwater management.

6. Pollution Prevention/Good Housekeeping for Municipal Operations. The permittee or applicant, as applicable, shall:

a. Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to, park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The permittee shall address the following topics in the program:

i. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the small MS4;

ii. Controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas; and

iii. Procedures to properly dispose of waste removed from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.

b. Include the following information in the SWMP:

i. A list of the municipal operations impacted by this operation and maintenance program;

ii. A description of the training program for municipal employees

iii. A list of measurable goals for the municipal pollution prevention program;

iv. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and

v. The name(s) and title(s) of the person(s) responsible for implementing and coordinating employee training and pollution prevention activities.

C. Qualifying State or Local Program. The permittee may substitute the BMPs and measurable goals of an existing stormwater pollution control program to qualify for compliance with one or more of the minimum control measures if the existing measure meets the requirements of the minimum control measure as established in Part V, Section B.

D. Sharing Responsibility. Implementation of one or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. A permittee may rely on another entity only if:

1 The other entity, in fact, implements the control measure;

2. The control measure, or component of that measure, is at least as stringent as the corresponding permit requirement;

3. The other entity agrees to implement the control measure on the permittee's behalf. Written acceptance of this obligation is expected. The permittee shall maintain this obligation as part of the SWMP description. If the other entity agrees to report on the minimum measure, the permittee shall supply the other entity with the reporting requirements in Part V, Section G of this general permit. The permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure component.

E. Reviewing and Updating SWMPs.

1. The permittee shall annually review the SWMP in conjunction with preparation of the annual report required under Part V, Section G.

2. The permittee may change the SWMP during the life of the permit according to the following procedures:

a. Changes adding (but not subtracting) components, controls, or requirements to the SWMP may be made at any time upon written notification to the Department;

b. Changes replacing an ineffective or infeasible management practice specifically identified in the SWMP with an alternate management practice may be made at any time, as long as the permittee submits a written analysis to the Department explaining why the management practice is ineffective or infeasible (including cost prohibitive), and why the replacement management practice is expected to achieve the goals of the management practice to be replaced;

c. Change notifications must be signed in accordance with Part VI, Section L;

3. The Department may notify a permittee that changes to the SWMP are necessary:

   a. To address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

   b. To include more stringent requirements necessary to comply with new federal or state statutory or regulatory requirements; and

   c. If, at any time, the Department determines that the SWMP does not meet permit requirements.

4. The notification described above in Part V, Section E.3 will need to be addressed by the permittee in one of the following manners:

   a. If the Department specifies changes that are to be made to the SWMP (including changes in implementation schedules), the permittee shall, within 60 days (or a later date if provided by the Department) certify that it has made changes as required by the Department. Changes must go into effect 30 days from the date the permittee certifies that changes have been made to the SWMP.

   b. If the permittee proposes an alternative to the Department's required change (including changes in implementation schedule), the proposed alternative must be received by the Department within 60 days of notification of the required change. If the Department approves the proposed alternative, the changes to the SWMP must go into effect 30 days from the date the Department approved the proposal. If the Department does not approve the proposed alternative, the permittee must make changes to the SWMP as specified by the Department. Certification that changes have been made to the SWMP must be received within 60 days of the date the permittee received notification that the proposal had been rejected. Changes must go into effect 30 days from the date the permittee certifies that changes have been made to the SWMP.

5. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation. The permittee must implement the SWMP in all new areas added to the permittee's portion of the MS4 (or for which the permittee becomes responsible for implementation of stormwater quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

   a Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee must have a plan for implementing the SWMP in all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.

   b. Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of 40 CFR 124.5. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.

F. Monitoring.

1. The permittee must evaluate program compliance, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals. If the permittee discharges to a water for which a TMDL has been established, the permittee must monitor to determine if the stormwater controls are adequate to maintain compliance with the MS4's

wasteload allocation or load allocation. If the permittee discharges to a 303(d) listed water that contains, or may contain, pollutant(s) for which the waterbody is listed, the permittee must monitor to determine if BMPs are effective to control discharges of pollutants of concern.

2. If the permittee conducts analytical monitoring at the permitted small MS4, the permittee must comply with the following:

   a. *Representative monitoring.* Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

   b. *Test Procedures.* Monitoring results shall be conducted according to test procedures approved in R18-9-A905(B) or other test procedures mutually agreed upon by the Director and the permittee or applicant.

   c. *Discharge Monitoring Report*. Monitoring results must be reported on a Discharge Monitoring Report (DMR) when monitoring is performed in accordance with a TMDL requirement.

3. Records of analytical monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

   b. The names(s) of the individual(s) who performed the sampling or measurements;

   c. The date(s) analyses were performed;

   d. The name(s) of the individual(s) who performed the analyses;

   e. The analytical techniques or methods used; and

   f. The results of such analyses.

4. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

G. Annual Reports.

1. The permittee must submit annual reports to the Department for each year of the permit term. The first report is due September 30, 2004, covering the activities of the permittee during the period beginning on the effective date of the permit for the permittee and ending June 30, 2004. Subsequent annual reports are due on September 30 of each year following 2004 during the remainder of the term of the permit and must cover the activities of the permittee for the previous year up to and including June 30. The report must include:

   a. The status of compliance with permit conditions, an assessment of the appropriateness of the identified best management practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP and protecting water quality, and the measurable goals for each of the minimum control measures,

   b. Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

   c. Any changes made to the SWMP since the last annual report and a summary of the

stormwater activities the permittee plans to undertake during the next reporting cycle (including an implementation schedule);

d. Proposed changes to the stormwater management program, including changes to any BMPs or any identified measurable goals that apply to the program elements;

e. A description of BMPs to be implemented within new areas annexed over the past year that are located within the regulated boundaries of the MS4;

f. A description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs; and

g. Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable).

2. Where to Submit. Annual reports shall be signed in accordance with Part VI, Section L.2 and sent to the Department at the following address:

Arizona Department of Environmental Quality
Compliance Data Unit
1110 West Washington
Phoenix, AZ 85007

PART VI. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. Failure to comply with any applicable term or condition of this permit shall be a violation of this permit and shall be grounds to enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.

2. The issuance of this general permit does not waive any federal, state, county, or local regulations or permit requirements with which a permittee discharging under this general permit is required to comply.

B. Duty to Reapply. If a permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit.

C. Continuation of an Expired General Permit.

1. If the Director does not reissue this general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.

2. Any permittee granted general permit coverage before the expiration date automatically remains covered by the continued general permit until the earlier of:

a. Reissuance or replacement of the general permit, at which time the permittee shall comply with the NOI conditions of the new general permit to maintain authorization to discharge; or

b. The date the permittee has submitted a Notice of Termination; or

c. The date the Director has issued an individual permit for the discharge; or

d. The date the Director has issued a formal permit decision not to reissue the general permit, at which time the permittee shall seek coverage under an alternative general permit or an individual permit.

3. Upon reissuance of a new general permit, the permittee shall file an NOI, within 60 days of the effective date of the new general permit.

D. Need to Halt or Reduce an Activity Is Not a Defense. It is not a defense for a permittee in an enforcement action to plead that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

E. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this general permit that has a reasonable likelihood of adversely affecting human health or the environment.

F. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the conditions of the permittee's SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

G. Permit actions.

1. This general permit may be reopened (in accordance with A.A.C. R18-9-A905(3)(a) which incorporates 40 CFR 122.41(f)) to address any changes in state or federal plans, policies, or regulations that would affect the quality requirements for the discharge.

2. This general permit may be modified by the Director before the expiration date to include discharge or receiving water limitations for toxic constituents determined to be present in significant amounts in the discharge.

3. This general permit may be modified, revoked and reissued, or terminated for cause.

4. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

H. Property Rights. The issuance of this general permit does not convey any property rights or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, Indian tribe, or local laws or regulations.

I. Duty to Provide Information. The permittee must promptly furnish the Department with the following information:

1. Upon request, any information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this general permit, or to determine compliance with this general permit.

2. Upon request, copies of records required by this general permit.

3. In the event that the permittee becomes aware that the permittee failed to submit any relevant facts in the NOI or submitted incorrect information in the NOI or in any other report to the Department, such facts or information.

J. Inspection and Entry. The permittee shall allow the Director or the Director's designee, upon presentation of credentials and other documents as required by law, to:

1. Enter the permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this general permit;

2. Have access to and copy, at reasonable times, any records required by this general permit;

3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general permit; and

4. Sample or monitor, at reasonable times, to assure permit compliance or as otherwise authorized under A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Articles 9 and 10, any substances or parameters at any location.

K. Recordkeeping.

1. The permittee shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of Discharge Monitoring Reports (DMRs), a copy of the NPDES or AZPDES permit, and records of all data used to complete the application (NOI) for this permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended at the request of the Department at any time.

2. The permittee shall submit its records to the Department only when specifically asked to do so. The permittee must retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to the Department. The permittee must make its records, including the notice of intent (NOI) and the SWMP, available to the public.

L. Signatory Requirements. All NOIs, NOTs, reports required by the general permit, and other information requested by the Director shall be signed as follows:

1. NOIs and NOTs:

a. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official.

2. Reports and other information.

a. All reports required by this general permit and other information requested by the Department or authorized representative of the Department shall be signed by a person described in Part VI, Section L.1 or by a duly authorized representative of that person.

b. A person is a duly authorized representative only if the authorization is made in writing by a person described in Part VI, Section L.1. The authorization shall specify either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the permittee.

3. Changes to Authorization. If the information on the NOI filed for general permit coverage is no longer accurate because a different operator has responsibility for the overall operation of the facility, a new authorization satisfying the requirement of Part VI, Section L.2.b. above must be submitted to the Department prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.

4. Certification. Any person (as defined above in Part VI, Sections L.2.a and L.2.b) signing documents under this Section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure

that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

M. Reporting.

1. Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

2. Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate other requirements that may be necessary to comply with the permit. (In some cases, modification or revocation and reissuance is mandatory.)

3. Other information. When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Director, the permittee shall promptly submit the facts or information.

N. Severability. The provisions of this general permit are severable, and if any provision of this general permit, or the application of any provision of this general permit to any circumstance, is held invalid, the application of the provision to other circumstances, and the remainder of this general permit shall not be affected.

O. Requiring Coverage Under an Individual Permit.

1. The Director may require a person authorized by a general permit to apply for and obtain an individual permit for any of the following cases:

   a. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;

   b. Effluent limitation guidelines are promulgated for point sources covered by the general permit;

   c. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;

   d. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;

   e. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:

      i. The location of the discharge with respect to waters of the United States,

      ii. The size of the discharge,

      iii. The quantity and nature of the pollutants discharged to waters of the United States, and

      iv. Any other relevant factor.

2. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:

   a. A brief statement of the reasons for the decision,

   b. An application form,

   c. A statement setting a deadline to file the application,

   d. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate,

   e. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and

   f. The applicant's right to request an informal settlement conference under A.R.S. §§ 41-1092.03(A) and 41-1092.06.

3. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.

4. If the permittee fails to submit the individual permit application within the time period established in Part V, Section Q.3, the applicability of the general permit to the permittee is automatically terminated at the end of the day specified by the Director for application submittal.

5. Coverage under the general permit shall continue until an individual permit is issued unless the general permit coverage is terminated under Part V, Section Q.4.

P. Request For an Individual Permit.

1. An owner or operator authorized by a general permit may request an exclusion from coverage of a general permit by applying for an individual permit.

   a. The owner or operator shall submit an individual permit application under R18-9-B901(B) and include the reasons supporting the request no later than March 10, 2003.

   b. The Director shall grant the request if the reasons cited by the owner or operator are adequate to support the request.

2. If an individual permit is issued to an owner or operator otherwise subject to a general permit, the applicability of the general permit to the discharge is automatically terminated on the effective date of the individual permit.

Q. Other Environmental Laws. No condition of this general permit releases the permittee from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the "take" of endangered or threatened species as prohibited by section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a "take" are available from the U.S. Fish and Wildlife Service.

PART VII. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

Any permit noncompliance constitutes a violation and is grounds for an enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

A. Civil Penalties. A.R.S. § 49-262(C) provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

B. Criminal Penalties. Any a person who violates a condition of this general permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Articles 9 and 10 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

PART VIII. DEFINITIONS

In addition to the definitions contained in A.R.S. 49-255 and A.A.C. R18-9-A901, all definitions contained in section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the statute or regulation takes precedence.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

CWA means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq.

Department as used in this permit, means the Arizona Department of Environmental Quality.

Discharge when used without qualification means the discharge of a pollutant,

Discharge of a Pollutant means
1. Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
2. Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger."

Discharge-related activities include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges, including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent stormwater pollution.

Facility means any NPDES or AZPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES or AZPDES program.

Illicit connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES or AZPDES permit (other than the NPDES or AZPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities,

Indian country means:

1. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
2. All dependent Indian communities within the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and
3. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

Large or Medium Municipal Separate Storm Sewer System means all municipal separate storm sewers as defined at 40 CFR 122.26(b)(4) or (7)

MEP means maximum extent practicable, the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in stormwater discharges. A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34. CWA section 402(p)(3)(B)(iii) requires that a municipal permit shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design, and engineering methods, and other provisions that the state determines appropriate for the control of such pollutants.

Measurable goal means a quantitative measure of progress in implementing a component of a stormwater management program.

MS4 means municipal separate storm sewer system.

Municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains):

1. Owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;
2. Designed or used for collecting or conveying stormwater;
3. That is not a combined sewer; and
4. That is not part of a publicly owned treatment works.

NOI means Notice of Intent to be covered by this permit (see Part II).

NOT means Notice of Termination.

Outfall means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States,

Owner or operator means the owner or operator of any facility or activity subject to regulation under the NPDES program.

Point source means any discernible, confined, and discrete conveyance, including but not limited to,

any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant is defined at R18-9-A901(22). A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

Significant contributors of pollutants means any discharge that causes or could cause or contribute to a violation of surface water quality standards.

Small Municipal Separate Storm Sewer System all separate storm sewers that are:

1 Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

2 Not defined as large or medium municipal separate storm sewer systems in accordance with this permit;

3 This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Stormwater means stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Management Program (SWMP) means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system.

Waters of the United States which is interchangeable with the term “navigable waters” means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate wetlands;
3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
   a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
   b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
   c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (1) through (4) of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1. through 6. of this definition.

   Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds for steam electric generation stations per 40 CFR 423, which also meet the criteria of this definition) are not waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the

purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

CITY OF SEDONA

STORMWATER QUALITY MANAGEMENT PROGRAM

(Revised July 2008)

CITY OF SEDONA
102 Roadrunner Drive
Sedona, Arizona 86336

STORM WATER QUALITY MANAGEMENT PROGRAM

FOR

CITY OF SEDONA, ARIZONA

in support of the

NOTICE OF INTENT

Submitted to the

STATE OF ARIZONA

DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER QUALITY DIVISION

WATER PERMITS SECTION

PHOENIX, ARIZONA 85012-2809

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT FOR DISCHARGE AZG-2002-002
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Located in the Incorporated Area of City of Sedona

August 2007 Revision

Prepared by:

CITY OF SEDONA PUBLIC WORKS DEPARTMENT
102 Roadrunner Drive
Sedona, AZ 86336

CITY OF SEDONA
STORMWATER MANAGEMENT PROGRAM

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Mission Statement

This revision was undertaken in response to a letter dated June 5, 2007 from ADEQ Surface Water Permits Section requiring modifications to the City of Sedona program to comply with requirements in the Small MS4 General permit (AZG2002-002). The City originally submitted its Notice of Intent and program document on November 20, 2003. the effort to revise the Stormwater Management Program (SWMP) document for the City of Sedona, involved the Stormwater Action group.. The team is comprised of selected City staff. Consistent with the goals of the Community Plan, the Stormwater Management Program (SWMP) for the City of Sedona is developed for the following objectives, which are articulated from the mission statement originally formulated by the SWMP team for the 2003 submittal:

- To reduce the discharge of pollutants into Oak Creek to the "maximum extent practicable".
- To increase public awareness on water quality issues and,
- To promote the development of complimentary program within the Verde Valley area.
- To satisfy the appropriate water quality requirements of the Clean Water Act.

The above objectives were used as guiding principles in formulating various best management practices (BMP's) for the control measures outlined in this document.

Program Coverage's and Jurisdictional Areas

This revision is being made consistent with Permit Part V.E and continues to constitute a part of the City's original permit application (Notice of Intent or NOI) for authorization to discharge stormwater under the Arizona Pollutant Discharge Elimination System (A.R.S. Title 49, Chapter 2, Article 3.1 and Arizona Administrative Code, Title 18, Chapter 9, Articles 9 and 10), as an operator of small municipal separate storm sewer systems (MS4s).

The NOI specifically requested authorization of discharge of stormwater from small MS4s as defined by 40 CFR 122.26(b)(16), and designated under 40 CFR 122.32(a)(1) and 40 CFR 122.32(a)(2). The City of Sedona is a small MS4 as designated. Hence, the City of Sedona is requesting coverage on this permit for only those incorporated areas that are located within the boundaries of the City of Sedona. The incorporated area boundaries of the City of Sedona are shown on Figure 1.

This permit application covers only stormwater collection systems and networks. It does not include stormwater discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(I)-(xi). It does not include stormwater discharges associated with construction activity as defined in 40 CFR 122.26 (b)(14)(x) or 40 CFR 122.26 (b)(15). This permit does not include separate storm sewers in discrete areas, such as individual buildings, or discharges covered under other NPDES programs.

The City of Sedona has determined that the following discharges are not significant contributors of pollutants to the municipal MS4s, and are considered allowable Non-Stormwater Discharges:

a. Water line flushing
b. Landscape irrigation
c. Diverted stream flows
d. Rising ground waters
e. Uncontaminated ground water infiltration
f. Uncontaminated pumped groundwater
g. Discharges from potable water sources
h. Foundation drains
i. Air conditioning condensate
j. Irrigation water
k. Springs
l. Water from crawl space pumps
m. Footing drains
n. Lawn watering
o. Individual residential car washing
p. Discharges from riparian habitats and wetlands
q. De-chlorinated swimming pool and spa discharges
r. Street wash water, and
s. Discharges of flows from emergency fire fighting activities

Unless explicitly specified otherwise in the Stormwater Management Program (SWMP), all actions proposed to be undertaken exclusively apply to the designated urbanized areas only. Actions taken beyond these geographic bounds are done so at the discretion of the City of Sedona. The City intends to fully implement the conditions in this SWMP no later than December 19, 2007.

Area Information

The area of the City of Sedona is approximately 18.3 square miles; 9 square miles of this amount are Forest Service Lands, the developable area is approximately 9.3 square miles. The area of Phase II designated urbanized area is 39 sq. miles

Excluded Areas and Sites

Areas in the incorporated boundaries not covered under this permit are: State Highway Route 179, and Sedona Airport. A portion of State Route 89A northeasterly of the intersection with State Route 179 has been conveyed to the City of Sedona and is covered by this permit; other portions of State Route 89A are excluded. Additional exclusions from this permit are all private roads and private commercial and residential development not connected to a City owned and operated stormwater collection and conveyance system, and other development or areas required to be under its own Pollution Discharge Elimination System permit (AZPDES or NPDES).

Coordination

Agency: City of Sedona
Contact: Charles Mosley, City Engineer
Phone: (928) 204-7132

Staffing and Resource Allocations

The initial funding for the SWMP will be through the general fund and utilizing existing staff. In the first year of the program, and annually thereafter, the City will evaluate the cost to support the program and allocate sufficient funding and resources for continuation of the program as proposed for the following year.

The Public Works Department will be responsible for implementing and coordinating all activities. Other departments, agencies, and associations will be included as needed to fully comply with the requirements of the General Permit.

System Overview

The City of Sedona is located within Coconino and Yavapai Counties. The City limits encompass an area of about 18.3 miles. The 9.3 square mile urbanized core is surrounded by 9 square miles of Coconino National Forest Lands within the City Limits. Two major state highways pass through Sedona. State Route 179 passes in a north-south direction through the eastern part of Sedona, to its intersection with State Route 89A. State Route 89A passes through Sedona in an east-west direction. Oak Creek, designated a Unique Waterway by the State of Arizona, is the major waterway passing through the City of Sedona. The City of Sedona is fully within the Oak Creek watershed. In addition to the flows from the City boundary area, water from much of the western portions of Sedona passes beyond the City boundary and through Forest Service lands prior to reaching Oak Creek.

The storm drain system in the urbanized core of Sedona is composed mainly of culverts, roadside drainage ditches, and washes. There are a few large drainage channels. The sequence of flow is generally overland to roadside ditches then to culverts and then into either washes or drainage channels. The drainage channels outlet into washes. Washes are defined as unimproved natural drainage ways. Drainage channels are defined as intentionally designed drainage ways that are not natural in either their shape or location.

Annual Reports

The City will submit an Annual Report to ADEQ by December 30, 2004, for the period of time between December 12, 2003 and June 30, 2004. Starting in 2005, the City will submit additional annual reports by September 30th of each year for the preceding period of July 1 through June 30.

Minimum Control Measures

The City of Sedona is proposing to develop, implement and enforce a stormwater management program by December 19,2007, to reduce pollutants discharged from municipally owned MS4s to the maximum extent practicable, given available financing and manpower, in order to protect water quality. To achieve this goal, the City has developed a five-year program consisting of the six required control measures and a seventh measure regarding evaluation of City resources relative to the program. These measures are described below. This program will result in the identification of Best Management Practices (BMP's) and measurable goals for the BMP's. Complete implementation of the City's Stormwater Management Program is expected to be an ongoing process, and outlined in the following pages.

The target pollutants for the City of Sedona Program are sediments, trash, motor oil, and landscape debris.

NAMES AND TITLES OF RESPONSIBLE PERSONS

NAME	TITLE	Department	CONTROL MEASURE RESPONSIBILITY
Charles Mosley	City Engineer	Public Works	1, 2, 6, 7
Cullen Hollister	Assistant City Engineer	Public Works	4
Andrew Dickey	Associate Engineer	Public Works	5
David Peck	Assistant Engineer	Public Works	3
Jim Windham	Development Services Supervisor	Community Development (Code Enforcement)	3, 4, 5
Gene Neil	Assistant City Attorney	City Attorney	3, 4, 5

1.0 Control Measure # 1 – Public Education and Outreach

Goal: To implement Permit Condition V.B.1, a public education and outreach program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges to water bodies. This includes identifying steps that the public can take to reduce pollutants in runoff.

Implementing Group: Communications Team and Public Works Department – Charles Mosley – City Engineer

TABLE 1.1
Public Education and Outreach – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.1 a	Research and collect information and educational materials on stormwater impacts from federal, state, and local agencies and from MS4 web sites.	■ City staff will contact agencies to get information and review web pages at least on semi-annual basis to get most up-to-date information.	April 2004	Feb 2004
		■ City staff will summarize the information gathered to be shared with the SWMP Team.	April 2004	Aug 2004
V.B.1 b	Develop a stormwater page on the City's webpage with the goal to disseminate information and to receive comments and feedback on stormwater issues.	■ City staff will coordinate internally with Information Technology staff and create a draft web page lay-out, with hyperlink and e-mail capabilities.	July 2004	Aug 2004
		■ City staff will create a stormwater page on the City's website with the capability to track number of hits.	July 2004	Sep 2004

TABLE 1.1 Public Education and Outreach – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
		■ City staff will update webpage throughout permit period placing current information on the site. The information will be reviewed monthly and the webpage will be updated as needed.	Oct 2004	On-going
V.B.1 c	Use media outlets and mail service to disseminate stormwater facts and information.	■ City staff will write three articles per year on stormwater issues for publication in a local newspaper.	April 2004	Dec 2004
		■ City staff will annually disseminate stormwater issues information through mail supplements and other media to at least 80% of local residents and community businesses, based on the City's list of addresses.	April 2004	Ongoing
V.B.1 d	Develop brochures and fact sheets on the stormwater issues to be distributed to the general public, specific targeted audiences, and City employees.	■ City staff will compile and publish relevant facts on critical stormwater issues designing the brochure materials to target specific groups and audiences. The targeted groups include: the general public, City employees, and tourists / visitors. The City will distribute brochures to at least 80% of active area contractors and developers as determined based on the number of building and grading permits issued by the City of Sedona during the past calendar year.	Jan 2004	June 2005
V.B.1 e	Use of Speakers Bureau	■ City staff will identify critical areas and relevant topics to be discussed and addressed by Speakers Bureau members. A list of topics will be listed on City of Sedona website	August 2007	October 2007
		■ City staff will offer resource speakers to talk on said topics.	November 2007	On-going

TABLE 1.1 Public Education and Outreach – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
V.B.1 f	Use of Tributary Signage	■ City staff will develop signage and markers to be strategically placed at key locations serving as reminders for users of local water resources.	Sep 2004	June 2005
		■ City staff will review sign placement annually.	Feb 2005	On-going

2.0 Control Measure # 2 – Public Participation and Involvement

Goal: **To develop and implement Permit Condition V.B.2, a plan to encourage public involvement and participation in the development and implementation of the Storm Water Management Program**

Implementing Group: Communications Team and Public Works Department - Charles Mosley – City Engineer

TABLE 2.1
Public Participation and Involvement – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.2 a	Investigate development of a program that will regularly conduct community activities aimed to raise awareness on important stormwater issues and to get public participation and involvement.	■ The City will form an Action Group comprised of staff volunteers from different City Departments aimed at developing a team to investigate development of a program and will serve to facilitate the planning, conduct, and coordination of community activities.	August 2007	ongoing
		■ The City will add a public response element to its web page. City will investigate and respond regarding the status of the investigation within 30 days. Records of comments and responses will be retained for a minimum of 2 years.	August 2007	Dec 2007
		■ Hold one public meeting annually to receive comments regarding stormwater quality issues around the City. Comments received will be responded to within 30 days. Records of comments and responses will be retained for a minimum of 2 years.	November 2007	Dec 2007
		■ The City will post the NOI and SWMP on its Website.	August 2007	Dec 2007

TABLE 2.1 Public Participation and Involvement – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
		■ Work with Sedona Recycles to develop a program encouraging those dropping off recycled material to pick-up material around the site that is blown or falls out of containers. Success of this effort will be posting of signs encouraging the volunteer action and a noticeably cleaner area on Mondays.		December 2007
		■ The Action Group will seek out possible sponsors from and partnership with local businesses to maximize exposure of the community activities and encourage public involvement and participation.	Jan 2004	on-going
V.B.2 b	Investigate the creation of a Trash Collection Day for the City and neighboring communities.	■ The City will discuss a Trash Collection Day with neighboring communities such as the towns of Camp Verde and Cottonwood to promote regional awareness of stormwater issues and to encourage region-wide involvement and participation.	Jan 2004	Jul 2005
		■ Request information from area homeowners associations regarding neighborhood trash collection days. Subject to approval by the neighborhood association information would be posted on the City of Sedona web site to encourage neighborhood participation in these days	October 2007	Dec 2007
		■ Each year the City will participate in at least 2 trash pick-up events. The City may or may not be the sponsor but it will be significant participant. Material regarding prevention of stormwater pollution ,and proper places to dispose of hazardous waste and green waste will be given out. Success of City sponsored events will be measured by turnout. At least 10 persons volunteering to pickup trash is the goal.		December 2007

3.0 Control Measure # 3 – Illicit Discharge Detection and Elimination

Goal: To develop, implement, and enforce Permit Condition V.B.3, a program to detect and eliminate illicit discharges into the small municipal separate storm sewer system (or MS4).

Implementing Group: Public Works Department David Peck, City Attorney's Office Gene Neil, Community Development (Code Enforcement Division) Jim Windham

TABLE 3.1
Public Illicit Discharge Detection and Elimination – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.3 a	Develop City Ordinance *(Stormwater Ordinance)* that addresses illicit discharges and dumping.	■ Formation/Development using the Action Team.	Jan 2004	Jul 2004
		■ The SWMP Team will assist in the development of the Stormwater Ordinance of the City.	Jul 2004	Dec. 2007
		■ Presentation of the Stormwater Ordinance to the City Council for approval.	Dec 2005	Dec. 2007
V.B.3 b	Identify locations of outfalls and possible entry points of illicit discharges.	■ City staff will identify locations of all outfalls to Waters of the United States	Feb 2003	ongoing
		■ City staff will map these locations on the Storm Water Sewer System Map.	Jan 2004	ongoing
		■ City staff will investigate the use of business licenses filed in the City to identify and track potential pollutant sources. Completed investigation shows this can't be done because of information collected. City staff will use illicit discharge inspection to identify pollutant sources.	Jan 2004	Oct 2005

TABLE 3.1 Public Illicit Discharge Detection and Elimination – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
V.B.3 c	Develop and implement an inspection program.	■ City staff will develop an inspection program to identify illicit discharges in the City. The program shall include dry weather field screening of at least 20% of the identified outfalls per year and investigation within 15 days of identifying or being notified of a potential illicit discharge. The primary detection method will be visual and smell by going to outfall locations. (See also Appendix B regarding citizen originated complaints)	Sept. 2007	ongoing
		■ City staff will be trained to perform inspections to identify and determine if the provisions in the Stormwater Ordinance are violated.	Oct 2006	ongoing
V.B.3 d	Eliminate identified Illicit System Connections	■ The City enforces the Stormwater Ordinance and penalizes those who violate the provisions in accordance with the City's ordinance enforcement code.	-	-
		■ City staff, with the aid of the Attorney's Office, will notify the offending party (or parties) with the goal to correct the problem in accordance with the Stormwater Ordinance.	Dec. 2007	On-going

4.0 Control Measure # 4 – Construction Site Stormwater Runoff Control

Goal: To develop, implement, and enforce Permit Condition V.B.4, a program to reduce pollutants in any storm water runoff to the small municipal separate storm sewer system (or MS4) from regulated construction activities within the City that result in a land disturbance.

Implementing Group: Public Works Department Cullen Hollister, City Attorney's Office Gene Neil , Community Development (Code Enforcement and Building Inspection Divisions) Jim Windham

TABLE 4.1
Construction Site Stormwater Runoff Control – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.4 a	Establish an ordinance that addresses construction site runoff control. The ordinance will provide regulatory mechanisms to prohibit erosion and waste on construction sites within the City.	■ City staff will review existing ordinance on construction site runoff control and incorporate erosion and sediment control requirements into the project's construction plan (such as SWPPP). Section 806 of the Land Development Code shall include provisions requiring dust control, erosion control, prevention of mud tracking, and incorporation of BMP's in projects.	Jul 2004	Dec 2007
V.B.4 b	Develop a preferred list of best management practices (BMP's) to be implemented and used for the City's Capital Improvement Projects (CIPs) and site development projects by developers. The list will include both structural and non-structural BMP's.	■ City staff will develop a list of preferred BMP's to be readily available to engineering and construction firms and to private developers as a guide. The list will include: 1. Placement of rock beds at construction entrances and maintenance of the beds 2. Use of silt fences 3. Use of retention basin to reduce silt runoff 4. Wetting and covering of debris piles 5. Use of filters in front of storm drain inlets 6. Covered loads	Jan 2005	Dec 2007

TABLE 4.1 Construction Site Stormwater Runoff Control – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
		■ City staff will include a listing of benefits and advantages for all listed BMPs.	Jan 2005	Dec 2007
V.B.4 c	Develop a notification procedure aimed at adequately informing the offending party (or parties) of known discharge violations. The procedure will allow the offending party (or parties) sufficient time to respond and correct such discharge violations.	■ City staff will establish notification guidelines for violators of the City Codes related to stormwater runoff. The City shall use the enforcement measures contained in the Land Development Code and in the City Code. The Land Development Code applies to grading and drainage issues. The City Code applies to drainage and covered loads.	Jan 2004	On-going
		■ City staff will follow and implement the guideline with the goal to correct known violations within a prescribed period.	Jan 2004	On-going
V.B.4 d	Develop an educational program targeting the Construction Industry, the general public and Private Developers on stormwater runoff issues aimed at effectively controlling erosion and sedimentation at construction sites.	■ City staff will prepare an educational package to inform operators about the City's SWMP. The package will include a copy of the Stormwater Ordinance, prepared templates, and City forms to be completed when a City permit is sought. The package will also include a check list of all the requirements needed by the City before permit is granted.	Jan 2004	December 2007
		■ City staff will prepare a brochure to explain the City's new minimum requirements for site developments.	Jan 2004	Dec. 2007
		■ City staff will inform operators and contractors during the permitting process that a State of Arizona AZDPES permit for construction activities will be required for sites greater than or equal to 1 acre.	Jan 2004	On-going
V.B.4 e	Review construction site inspection program.	■ The City will annually review the site inspection program for construction sites.	Jan 2004	On-going

TABLE 4.1 Construction Site Stormwater Runoff Control – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
		■ City staff will be trained to conduct site inspections in accordance to the developed program. (See Appendix B)	May 2004	On-going

5.0 Control Measure # 5 – Post-Construction Run-off Control

Goal: To develop, implement, and enforce Permit Condition V.B.5, a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, and discharge into the small municipal separate storm sewer system (MS4). The program ensures that controls are in place that would prevent and minimize water quality impacts.

Implementing Group: Public Works Department – Andrew Dickey , City Attorney's Office – Gene Neil, Community Development (Code Enforcement Division)- Jim Windham

TABLE 5.1
Post-Construction Runoff Control – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.5 a	Review and evaluate current City ordinances and establish/integrate new ones that effectively address post-construction runoff and erosion control.	■ City staff will review all current City ordinances related to long-term drainage and erosion control. The City will incorporate post-construction management requirements into the illicit discharge ordinance.	Jul 2004	Dec. 2007
		■ City staff will train building inspectors to identify violations of or compliance with the Stormwater Ordinance's design criteria.	Dec. 2007	On-going

TABLE 5.1 Post-Construction Runoff Control – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
V.B.5 b	Investigate the development of site inspection program	■ The City will develop a site inspection program that institutes maintenance requirement for structural and non-structural BMP's for long-term soil stabilization and water quality improvement. The program will include the following elements: 1. Identification of the party responsible for site maintenance. 2. A data base of the site will have post-construction BMPs 3. Maintenance of records showing what maintenance provisions were noted in the design documents 4. Written records of inspection results 5. Follow-up inspections in cases where the City requires corrective action. 6. Requirements for immediate corrective action in situations of significant or important deficiencies identified. 7. The inspection shall include City of Sedona owned or leased facilities and properties. This will include those facilites and properties used by others.	Dec 2006	Jul 2007
		■ The City will include written report in the Annual Report to present findings of the investigation.	-	-
		■ The City will take enforcement action on those who violate the City illicit discharge ordinance. The enforcement action shall at minimum consist of a written warning.	Dec 2006	Jul 2007

TABLE 5.1 Post-Construction Runoff Control – Best Management Practices and Measurable Goals				
Permit Citation	**Best Management Practices (BMPs)**	**Measurable Goals**	**Implementation**	
			Start Date	**Target Date**
V.B.5 c	Use of structural BMP's for long-term drainage and erosion control.	■ City staff promote use of preferred structural BMP's for long-term drainage and erosion control to be used for SWPPP. The preferred structural BMPs are: 1. Placement of erosion slope protection on slopes steeper than 5:1. Slope protection includes flow barriers 2. Use of rock or sand filters for surface runoff from parking lots. These shall be changed regularly. 3. Runoff shall be run over non-erodable surfaces such as concrete or rock when surface flow is concentrated. 4. Detention basins with depth to accommodate accumulation of silt. The basin shall be cleaned when the depth reaches a depth determined at time of the basin design or when the silt encroaches on the necessary water detention capacity.	July 2004	Dec 2004
		■ In order to educate developers, engineers, and architects regarding Best Management Practices the City will develop a brochure which shall annually be distributed and shall be included in development permit information packages .		
		■ City staff will incorporate into their plan review guidelines for the effective use and implementation of BMP's by developers and operators.	Jan 2005	On-going
V.B.5.b	Use of non-structural BMPs for long term control of stormwater pollution	■ Incorporate in the Land Development Ordinance and City Code provisions requiring the consideration of measures to reduce increases in site runoff and storm water pollution due to new and/or redevelopment.	Ongoing	Ongoing

6.0 Control Measure # 6 – Pollution Prevention / Good Housekeeping for Municipal Operations

Goal: To develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to park and open space maintenance, fleet, and building maintenance, new construction, land disturbance, and stormwater system maintenance.

Implementing Group: Public Works Department Charles Mosley, City Engineer

TABLE 6.1
Pollution Prevention / Good Housekeeping for Municipal Operations – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.6 a	Educate City Employees and Staff on the City's Stormwater Management Program	■ The City Engineer will meet with Department Heads for the Community Services, and the Community Development departments to discuss the Stormwater Management Program and to assist them and their staff in implementing the program. The program goal is to inform all public works inspectors, building inspectors, field maintenance workers, right-of-way permit writers, specification writers, wastewater collection system maintenance workers, and park maintenance worker about the existence of this program and their responsiblility to minimize illicit discharge due to their work.	Feb 2004	On-going
V.B.6 b	Review existing operation and maintenance programs of the City to determine how they could be improved to meet the objectives of the Stormwater	■ Department Heads will meet annually with their staff to review and improve existing operation and maintenance programs in their units aimed at incorporating the objectives of the SWMP	Feb 2004	On-going

TABLE 6.1
Pollution Prevention / Good Housekeeping for Municipal Operations – Best Management Practices and Measurable Goals

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
	Management Program.	■ Department Heads will review operations and maintenance programs adopted under their jurisdiction annually and will provide updates to the City Engineer.	Nov. 2007	On-going
V.B.6 c	Develop an inspection program to ensure that pollution prevention practices are either carried out or are instituted when and where they are necessary.	■ The City will implement an inspection program aimed at enforcing the current operations and maintenance programs. The City shall be subject to the inspection program for maintenance of Post-construction BMPs in addition to these inspections.	Oct 2004	On-going
		■ City staff will monitor and inspect parking lots, storage yards, and fleet maintenance facilities for oil and grease runoff.	Oct. 2007	On-going
V.B.6 d	Develop Stormwater Pollution Prevention Plan (SWPPP) for every Capital Improvement Project and City Operation.	■ Project Managers will ensure that a SWPPP is developed for every CIP of the City.	On-going	-
V.B.6.e	Educate field workers and CIP project managers regarding proper waste disposal	■ Annually hold a meeting to address proper procedures regarding wastewater spill cleanup, proper disposal and cleanup of dirt,rock and vegetative material, proper disposal of trash, proper disposal of material removed from catchbasins and pipe cleaning. The goal is 75 % attendance at the meeting of City field workers and CIP managers	November 2007	Ongoing

7.0 Control Measure # 7 – City Implementation

Goal: To evaluate implementation resources needed by the City for the six control measures to effectively carryout all the listed BMP's.

Implementing Group: City Engineer's Office – Charles Mosley – City Engineer

TABLE 7.1
City Implementation

Permit Citation	Best Management Practices (BMPs)	Measurable Goals	Implementation	
			Start Date	Target Date
V.B.7 a	Investigate implementation staff and resource needs.	■ Investigate staff and resource needs to implement the six control measures (i.e., #1 to #6).	Jan 2004	On-going
		■ Identify additional staff and resource requirements.	Jan 2004	On-going
		■ Recommend program funding on an annual basis.	Jan 2004	On-going

Magement Plan Summary Schedule. TABLE 7 lists the implementation periods associated with every management plan identified for the six control measures.

TABLE 7 MANAGEMENT PLAN SUMMARY SCHEDULE

Permit Condition	Best Management Plan	Description	Implementation	
			Start Date	Target Date
V.B.1	BMP-1	Research Information	Jan 2004	Aug 2004
	BMP-2	Development of Web Site	Feb 2004	On-going
	BMP-3	Media Outlets and Mailings	Jan 2004	On-going
	BMP-4	Brochures and Fact Sheets	Jan 2004	June 2005
	BMP-5	Speakers Bureau	August 2007	October 2007
	BMP-6	Tributary Signage	Sep 2004	On-going
V.B.2	BMP-1	Community Activities	August 2007	December 2007
	BMP-2	Trash Collection Day	Jan 2004	December 2007
V.B.3	BMP-1	City Ordinance	Jan 2004	December 2007
	BMP-2	Outfall Locations	Jan 2004	Ongoing
	BMP-3	Inspection Program	September 2007	Ongoing
	BMP-4	Illicit System Connections	December 2007	On-going
V.B.4	BMP-1	City Ordinance	Jul 2004	December 2007
	BMP-2	Preferred List of BMPs	Jan 2005	December 2007
	BMP-3	Notification Process	Jan 2004	On-going

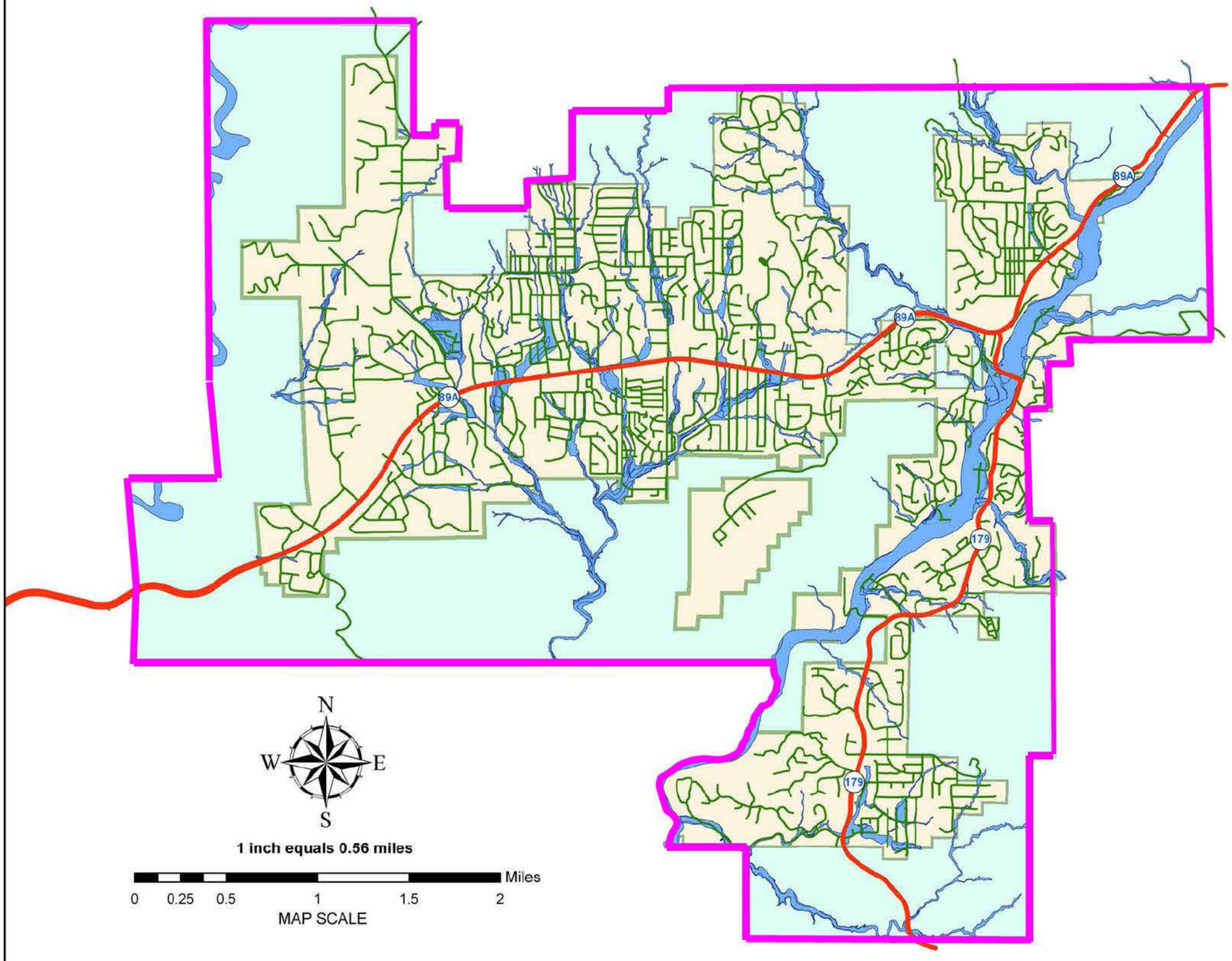
TABLE 7 MANAGEMENT PLAN SUMMARY SCHEDULE				
Permit Condition	**Best Management Plan**	**Description**	**Implementation**	
			Start Date	**Target Date**
	BMP-4	Educational Packages for Site Developers	Jan 2004	On-going
	BMP-5	Site Inspection Guideline	Jan 2004	On-going
V.B.5	BMP-1	City Ordinance	Jul 2004	On-going
	BMP-2	Site Inspection	Dec 2006	July 2007
	BMP-3	Structural \ Non-Structural BMP's	July 2004	On-going
V.B.6	BMP-1	Training of City Employees	Feb 2004	On-going
	BMP-2	City Operation and Maintenance Programs	Feb 2004	On-going
	BMP-3	Site Inspection Program	Oct 2004	On-going
	BMP-4	Stormwater Pollution Prevention Plan	On-going	
	BMP-5	Education regarding proper waste disposal	November 2007	On-going
V.B.7	BMP-1	Implementation Resources	Jan 2004	On-going

ATTACHMENT 1 - JURISDICTIONAL BOUNDARIES MAP

CITY OF SEDONA

STORMWATER MANAGEMENT PLAN

LOCATION MAP



LEGEND:

- CITY
- FOREST SERVICE
- DRAINAGE SYSTEMS
- STATE HIGHWAYS
- STREETS

EXHIBIT NO. 1
JURISDICTIONAL BOUNDARY MAP

DIBBLE & ASSOCIATES
CONSULTING ENGINEERS
Since 1962

ATTACHMENT 2 - EXISTING LAND USE MAP

CITY OF SEDONA

STORMWATER MANAGEMENT PLAN

LEGEND:

- General Commercial
- Lodging
- Mobile Home Park
- Multi-Family
- Open Space
- Park
- Public/Semi-Public
- Single Family High Density
- Single Family Low Density
- Single Family Medium Density
- Single Family Very Low Density
- Transitional
- United States Forest Service
- Vacant
- Flood Hazard
- Floodway

N
W E
S

1 inch equals 0.44 miles

0 0.25 0.5 1 1.5 2 Miles

MAP SCALE

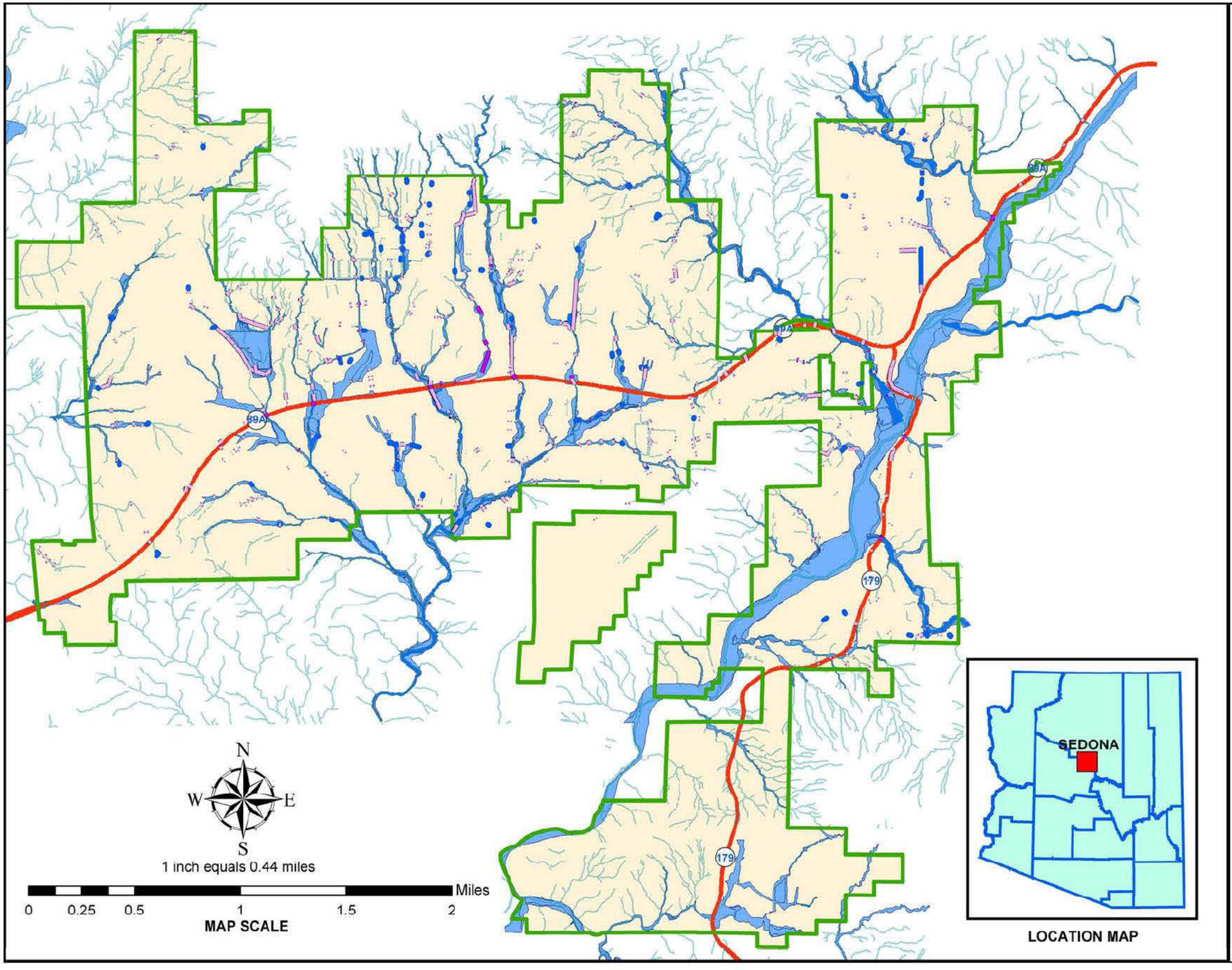
SEDONA

LOCATION MAP

EXHIBIT NO. 2
EXISTING LAND USE MAP

DIBBLE & ASSOCIATES
CONSULTING ENGINEERS
Since 1982

ATTACHMENT 3 - STORM SEWER SYSTEM MAP



LOCATION MAP

CITY OF SEDONA

STORMWATER MANAGEMENT PLAN

LEGEND:

- Minor Tributary Streams
- State Highways
- Urban Boundary
- Floodway
- Flood Hazard

Drainage Pipes

- Box
- Bridge
- Pipe-Arch
- Round

EXHIBIT NO. 3

STORM SEWER SYSTEM MAP

DIBBLE & ASSOCIATES
CONSULTING ENGINEERS
Since 1962

APPENDIX A

GLOSSARY OF TECHNICAL TERMS

ABOP	Antifreeze, Batteries, Oil, and Paint.
AAC	Arizona Administrative Code
AZPDES	Arizona Pollutant Discharge Elimination System
BMP	Best management Practices
DCIA	Directly Connected Impervious Areas
GIS	Geographic Information System
HHW	Household Hazardous Waste
MEP	Maximum Extent Practicable
MIS	Management Information System
MS4	Municipal Separate Storm Sewer System
PHF	Pesticides, Herbicides, Fertilizers
P2	Pollution Prevention
SIC	Standard Industry Classification
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWSSM	Storm Water Sewer System Map

APPENDIX B

SITE INSPECTION PROCEDURES

The City will inspect construction sites with high priority (larger sites and sites within 0.1 miles of a watercourse) within 2 days of receipt of the NOI submitted to ADEQ. If at the time of inspection, there are any stormwater infractions, the City will refer these non-compliance activities to ADEQ and issue a stop-work order on site until appropriate water protection measures have been installed. The inspector will communicate with site operators during construction activities on-site. If the City finds any further infractions, the City will suspend the operator from any construction activities within the City's jurisdiction (urbanized boundary) for the next 3 days.

Procedures for Site Inspection

Inspections will begin in the office with a review of maps and familiarization with area roads, land uses, and natural features. Inspectors will then review any documents pertaining to the development of the property such as the Stormwater Pollution Prevention Plan (SWPPP), site plan maps, other permits granted to the builder, records of previous compliance, or NOI's. Inspections will be conducted according to the City Inspection Procedures which will be available in December 2007. Prior to December 2007, inspectors will conduct the inspection as described below:

1. Introduce him/herself as the City Inspector and communicate with the operator the types of things the inspector is looking for while on the inspection.
2. Locate the on-site copy of the SWPPP and become familiar with any changes that have been made to the SWPPP.
3. Walk (or slowly drive) the perimeter of the site and note outfalls to waters and/or drainage channels.
4. Inspect outfalls for signs of wastes and sediment. Document any waste or sediment.
5. Inspect active and inactive portions of the construction areas for properly installed BMPs and material storage.
6. Communicate with the operator the status of compliance and if this site will be referred to ADEQ for further investigation.

Procedures for Site Plan Reviews

Beginning in 2004, City Departments will coordinate to determine what resources will be devoted to stormwater plan reviews. Procedures will vary depending on the Department conducting the review. The City expects that the procedures will be similar to those described below:

1. Receive information from the Planning and Design Review Division or Building Safety Unit of Development Services that the operator has applied for a grading permit on a site greater than or equal to 1 acre.

2. Review maps and development proposal package.
3. Identify waters of the United States, drainages, canals, and any other conveyance system on the site, then look for drawings or descriptions of the materials or practices being used to prevent runoff, spills and destruction flow channel's physical properties.
4. If BMPs are in place and considered appropriate for the duration of the construction activities, rain patterns during the time of year construction is taking place, soil conditions and any other local concerns that the City reviewer is aware of, the operator will receive a phone call telling him that the City has reviewed his plan and according to his plans and maps, the pollution prevention procedures will not adversely impact water quality OR he will receive a call (if plans are insufficient) that indicates that his site does not appear to protect water quality. If the operator agrees to amend his practices, the reviewer may use his discretion as to whether the changes will not adversely affect water quality.

Phone calls will be followed by a letter or postcard from the City to the operator. Citizens will be able to send comments via e-mail to the inspection staff with a link to the City's website. Any citizen with a complaint will be asked to fill out a complaint form if there are no inspectors available to speak with the Citizen. Inspection staff will respond to citizen comments before the end of the construction period assuming that the comment is provided 48 hours before the construction activity is scheduled to be completed.

102 Roadrunner Drive
Sedona, Arizona 86336
TDD (928) 204-7102
www.SedonaAZ.gov

December 14, 2009

Arizona Department of Environmental Quality
Surface Water Section / Stormwater & General Permits Unit (5415A-1)
1110 West Washington Street
Phoenix, Arizona 85007

Attention: Ms. Joanie M. Rhyner, Stormwater and General Permits, Water Section Manager

SUBJECT: CITY OF SEDONA – 2009 ANNUAL SMALL MS4 REPORT AZPDES PERMIT NO. AZG2002-002 MS42002-32

I am submitting with this letter a copy of the City's 2008/2009 Annual Small MS4 Report.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Charles Mosley, City Engineer
Charles Mosley

Sincerely,

Charles Mosley

Charles Mosley, PE MPA
Director of Public Works/City Engineer
City of Sedona

Enclosure: City of Sedona 2008/2009 Annual Report & associated attachments

CM/dwp
cc: Tim Ernster, City Manager
Michael Goimarac, City Attorney
File: ADEQ Stormwater SDMP

L:\CMOSLEY\stormwater management program\ADEQ- FY 2009 Annual Report transmittal letter.doc

Small MS4 Annual Report Form

Please refer to the attached instructions as you prepare your annual report.

A. General Information

Name of MS4: City of Sedona

Contact Name: Charles Mosley, PE

Telephone Number: (928) 204-7132 Email Address: cmosley@sedonaAZ.gov

Annual Report Period:
- ☐ December 19, 2002 – June 30, 2004
- ☐ July 1, 2004 – June 30, 2005
- ☐ July 1, 2007 – June 30, 2008
- ☐ July 1, 2005 – June 30, 2006
- ☐ July 1, 2006 – June 30, 2007
- ☒ July 1, 2008 – June 30, 2009

B. SWMP Modifications and Additional Information. Attach a brief explanation if you check "yes" to any of the following statements.

1.	Changes have been made or are proposed to the SWMP since the last annual report, including changes in response to ADEQ's review.	YES ☐	NO ☒
2.	The MS4 has annexed lands.	YES ☐	NO ☒
3a.	The MS4 discharges directly to an impaired water.	YES ☒	NO ☐
3b.	A water within 10 miles of the MS4's jurisdiction has been identified as impaired.	YES ☒	NO ☐
4a.	The MS4 discharges directly to water for which a TMDL has been established.	YES ☐	NO ☒
4b.	A TMDL has been established for a water within 10 miles of the MS4's jurisdiction.	YES ☐	NO ☒
5.	The MS4 has conducted analytical monitoring of stormwater quality.	YES ☐	NO ☒
6.	The MS4 is relying on another government entity to satisfy some permit obligations.	YES ☐	NO ☒

C. <u>Stormwater Management Program Status</u>. Provide the status of every BMP and measurable goal in your SWMP as described in the instructions.

TABLE 1

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Collect information	City staff will contact agencies to get information and review web pages at least on semi-annual basis to get most up-to-date information.		April 2004	In progress. Other web pages were reviewed in preparation of community events: 4/18 Earth Day, 4/23 Water Wise Day, Public Works Fair 4/18. Information was on display at the Sedona Public Library for Public Works Week from 5/15 to 5/26. The City made contact with the City of Flagstaff regarding trash pick up during this reporting period.
Public Education and Outreach	Develop a stormwater web page	Develop a stormwater web page		July 2004	In progress. City of Sedona maintains a section for this issue on its web page under Public Works > Stormwater in Sedona. The site visit count for the web page on September 19, 2008, was 1020. On November 9, 2009, the count was 1796, and on November 24, 2009, the count was 1855. The updates to the web page for FY 08/09 included the 2008 Annual Report and information regarding disposal of household hazardous waste.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Use public media to disseminate information	Use public media to disseminate information		April 2004	In progress. The public works department has placed information in the Sedona Red Rock News. Articles were published in August 2008 and May 2009. The public was also informed about Public Works Week activities through which information about stormwater was disseminated. Stormwater related articles were also published in the e-news SedonaBiz. In March 2009, the City of Sedona published and mailed to approx. 6000 residents, our Community Connection Newsletter (attached), which had an article about Spring Cleaning - Stormwater Pollution Prevention on page 6.
Public Education and Outreach	Develop a Speaker's Bureau	Creation of a list of speakers and topics and dissemination of the list to organizations likely to use speakers		Jan 2004	Not started. Although some topics have been developed and the web site notifies people that speakers are available, no one has contacted us for talk. However, on 5/9, a local EPA retiree offered a free workshop for the public on "Addressing Stormwater Pollution Issues in Sedona". This workshop was advertised in the Sedona Red Rock News.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Tributary Signage	Design and production of signage		Sept. 2004	Completed. Posting of signs at strategic locations. End Date June 2005: 25 signs were posted around community. The City has additional signs in storage to replace signs if lost or destroyed. There are plans to replace faded signs in FY 09/10.
Public Education and Outreach	Outreach brochures	Develop brochures and fact sheets on stormwater issues targeted to specific audiences		Jan 2004	Completed. City developed brochures targeted to residents, contractors, and visitors in 2005. The resident and contractor brochures were handed out at the Earth day and Public Works Fair events. They are also available in several lobbies in the City campus (city council chambers, Finance area where people pay sewer bills, and Community Development/Public Works building). The contractor brochure is available in the Community development/Public Works building.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Education and Outreach	Use media outlets and mail service to disseminate stormwater facts	Write three articles per year on stormwater for publication in local newspaper. Investigate disseminating stormwater issues through mail supplements and other media.		Jan 2004	Ongoing. Stormwater was one of the featured issues during this year's Public Works outreach in May. Three articles were published in the Sedona Red Rock News during this reporting period, they appeared in August 2008, along with two in May 2009. The City places copies of its storm water brochure for residents in several of the City buildings for the public to pick up. 158 brochures were mailed to local contractors with a letter dated 12/31/2008, that reiterated information about the City Stormwater Ordinance (attached). 5120 brochures were mailed to residents in March 2008, and 9229 brochures were mailed to residents in July 2009. In March 2009, the City of Sedona published and mailed to approx. 6000 residents, a Community Connection Newsletter (attached) which had an article about Spring Cleaning - Stormwater Pollution Prevention on page 6.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Participation and Involvement	Revised FY 08/09: Encourage public participation with trash collection days	Investigate creation of a trash collection day 2007 addition – Request information from homeowners associations regarding neighborhood trash collection days. Added in 2008- Participate in at least 2 trash pick-up events.	X	Jan 2004	There does not seem to be much interest from neighboring cities at this time. This goal was revised in the August 07-management plan revision to require as a measurable goal that Neighborhood Associations be contacted regarding their trash days. 32 Associations were contacted in October 2008, all except one did not have a trash collection day. The City also did a survey in September 2008 regarding the general issue of trash pick-up. It indicated that about half of the responding Associations believed that one-mile or less was the preferred distance to go to dump lawn clippings. In response to a June 2006 letter from ADEQ, another BMP was added to the Revised 2008 Management Plan. It should be noted that in the City of Sedona and surrounding areas, a non-profit volunteer organization known as Keep Sedona Beautiful has been picking up roadside ditch trash for over 30 years on a weekly basis. The city has recognized those accomplishments and worked with this organization on a number of occasions throughout the years.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					On Sept. 27, 2008, there was a National Public Lands Day Event to pick up trash at Sunset Park in West Sedona. On October 11, 2008, the City of Sedona, in conjunction with ADEQ, hosted a free household hazardous waste drop-off event for City of Sedona residents at the Sedona Red Rock High School. In Oct. 2008, the City started a Neighborhood Cleanup Program by offering one "roll-off" dumpster placement per month in a requesting subdivision. For FY 08/09, requests were made from five subdivisions, and a dumpster was placed over a weekend in each of the five corresponding months for those requests. In January 2009, the City sponsored a Christmas tree collection at the corner of SR 89A and Saddle Rock Circle, as it has been doing for over 10 years. The City participated in a yard waste clean-up day with the Sedona Fire District on May 15, 16 and 17, 2009. On May 9, a local EPA retiree offered a free workshop for the public on "Addressing Stormwater Pollution Issues in Sedona". The City contributes over $27,000 in

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					annual funding to the Sedona Recycles center on Shelby Drive to which many citizens take bottles, cardboard, glass and other recyclable material.
Public Participation and Involvement	Investigate development of regular programs to raise awareness	Form a City Staff Action Group Provide a public response element to the City website for storm water Added 2007 - Hold one public meeting annually to receive comments on stormwater quality issues Post NOI and SWMP on the City website. Added 2008 – Work with Sedona Recycles to develop a program to pick up material around the recycle site. There		Jan 2004	Stormwater was one of the featured issues at this year's Public Works fair in May. Formation of a Stormwater Action Group. The Group started meeting in August 2007. City staff has been participating in a Stormwater Action Group. The Group reviewed the revised Stormwater Management Plan and the Stormwater ordianance. The Group has reviewed mailings and made program recommendations. The group met once every 6 weeks during this reporting period. The public has the opportunity to respond or make comments related to stormwater by using email links to City staff from the City website. The City placed an article in the Sedona Red Rock News in May 2009 requesting public comment on the Stormwater Quality Management

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
		are drainages adjacent to the site. Seek out sponsors and partnerships to increase public awareness of stormwater quality issues.			Program. Comments were received from two individuals and their comments were appropriately addressed. The NOI and SWMP are on the City website. The staff at the Sedona Recycles Center on Shelby Drive is now educated on the importance of keeping the area and adjacent channels clean. They have been doing a good job on this detail. No partnerships or sponsors have been developed yet, although several public activities such as earth day are being used to get the message out.
Illicit Discharge and Elimination	Develop City Ordinance	Develop City Ordinance		Jan. 2004	Complete. A new ordinance was approved by the City Council on November 13, 2007 (City Code Section 14) . Provisions regarding stormwater discharges were included in an update to provisions of City Code Section 7 approved on June 10, 2008.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge and Elimination	Identify locations of outfalls to major water bodies	Identify locations of outfalls to major water bodies		February 2003	Completed. This is a task under the City's Storm Water Master Plan. End date March 2005. Ongoing. City is proceeding to inspect outfalls beginning October 2007. Outfalls to Oak Creek along SR 179 from Chapel Road to the south end of the Sedona urbanized area were inspected. These inspections included the Chapel Residential Area as well.
Illicit Discharge and Elimination	Implement Inspection Program	Implement Inspection Program		Jul 2006	City is proceeding to inspect outfalls beginning October 2007. See item above.
Illicit Discharge and Elimination	Eliminate Illicit Discharges	Eliminate Illicit Discharges		Jul 2007	This is an ongoing task: Enforce adopted ordinance. City has sent out notice to all of City in this reporting period. Also, City Council had authorized hiring an Environmental Inspector in FY 08/09. Although, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position was not filled. The City is enforcing provisions of Land Development Code and City code that it adopted regarding grading and erosion controls, and covered loads.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					Late June 2008: A small, private sewer spill occurred at Kokopelli Suites at 3119 W. SR 89A. The spill was immediately cleaned up and the pumps were replaced. We were assured that this was the first time such as incident occurred in their 11 years of operation. 10/31/08: ADEQ NRO was notified of a sewer spill that occurred this day as a result of ADOT's SR 179 Project contractor (SWAP) unknowingly dislodging a manhole lid and plugging the line with dirt and rocks. This occurred at SR 179/Bowstring Drive. Approx. 1000 gallons was released and contained on-site. The three upstream pump stations were shut down and pumped via pumper trucks. City staff decontaminated the area. 11/25/08: The Public Works Dept. was notified and responded (within 15 minutes) to a report of residential paint brush and roller cleanup taking place in the roadside ditch at 600 El Camino Road. They immediately stopped the practice and had the cleanup completed within 24 hours.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					12/27/08: A sight glass on a Arizona Water Company treatment backwash tank on Shelby Drive broke due to freezing conditions and released approx. 800 gallons of water and sludge. This release did not enter any major channels and was cleaned up the following morning by the plant manufacturer. The sludge is not considered to be hazardous waste according to the AZWC. 1/15/09: ADEQ NRO was notified of a sewer spill that occurred this day as a result of overnight mainline construction and a plugged back flush valve in front of Exposures Gallery at 561 SR 179. An estimated 200 gallons of raw sewage was released and contained within a 25 ft. radius. The spill area was decontaminated with liquid chlorine and the back flush valve was repaired. In February 2009, a contractor working on the Sedona KFC/Taco Bell Project at 1490 W. SR 89A, violated his Haul Plan by hauling approx. 200 cubic yards of dirt down to the Oak Creek Floodplain at 160 Blackhawk Lane. Though letters by the City and a Notice of Opportunity to Correct by the ADEQ NRO, the

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					material was removed from the floodplain and taken to an appropriate location. In February 2009, it was discovered that a local Jeep Tour Company at 210 N. SR 89A was washing Jeeps on-site and allowing the wash water to run off-site. Through a letter to the business owner and coordination with his contractor, they installed vehicle-washing facilities with silt basins and oil/water separators at three business locations in Sedona. All three of these facilities were also connected to the City sanitary sewer as part of the projects. 3/6/09: ADEQ NRO issued a Notice of Violation to ADOT related to BMP deficiencies associated with the SR 179 Project. In the weeks following the NOV, ADOT and their contractor worked diligently with ADEQ to resolve all of the violations. 3/10/09: ADEQ NRO issued a Notice of Violation to Tiffany Construction related to BMP deficiencies associated with a large sewer project in the Chapel Area adjacent to SR 179 and Chapel Road. A letter dated 4/3/09, to Tiffany

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					from ADEQ stated that Tiffany was in compliance and that the NOV for this case was closed. In March 2009, a stucco contractor cleaned his equipment and tools into a stormwater inlet grate. The contractor was immediately notified and the contractor completely cleaned up the stucco debris in the MS4 within one week. 4/15/09: ADEQ NRO performed an inspection on the construction project located at L'Auberge De Sedona at 301 L'Auberge Lane as a follow up related to a NOV that was issued 3/10/09. Some deficiencies were noted with the BMPs in the report. Tiffany Const. followed up with a letter to ADEQ on May 4, with the necessary improvements and documentation. 5/6/09: The Sedona Car wash at 2660 W. SR 89A was ordered to shut down their operation due to a discharge of approx. 10 gallons of wash water into the MS4. The spill occurred because a sump pump failed. The pump was replaced and the business was operational within two hours of the

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					order to shut down. The City required the business to prepare a corrective action/maintenance plan. In June 2009 we took a proactive measure with the McDonald's Restaurant property by notifying them that the stormwater from their building and parking area runs directly into the MS4. As a BMP, they installed a first-flush retention basin for their runoff. 6/16/09: A letter was sent from the City to a local citizen addressing several concerns he had regarding the City's implementation of its Stormwater Quality Management Plan. This letter assured the citizen that each of his areas of concern were looked at individually, and that each concern was appropriately addressed.
Construction Site Runoff Control	Establish Ordinance addressing construction site runoff	Establish Ordinance addressing construction site runoff		Jul 2004	Complete. Land Development code changes addressing grading completed in 2006 (Article 8 Section 805.06). City Code Section 7-15 "Rights-of-Way" modified to address work in the public Right-of-Way in June 2008.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Runoff Control	Develop a list of preferred Construction site BMP	Develop a list of preferred Construction site BMP		Jan 2005	Ongoing. Development of a formalized list of BMPs and listing of benefits. The city has been suggesting practices for several years now. The City web site contains guidance for contractors in locating BMPs. The City has developed a brochure for Contractors that contains BMP examples and directs them to the EPA site for BMPs. The benefits of BMPs are explained in that brochure. The brochure is available to the public in the entrance area where contractors come for permits.
Construction Site Runoff Control	Develop an educational program	Develop an educational program		January 2003	Ongoing. The City continues to distribute brochures. The City mailed 158 brochures to various contractors (i.e., landscaping, concrete, painting, general, and excavators) in December 2008. During plan reviews for developers, storm water pollution prevention measures are required. A spreadsheet for tracking site inspections was started March 2009. In the months of March thru June 2009, 109 site inspections were conducted. This number would equate to approx. 330 site inspections over the one-year

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					reporting period. As a corrective measure and educational tool, deficiencies needing to be addressed are written and given to the contractor. A City of Sedona NOI Form (attached) was developed and is required to be completed and signed as part of the permitting process for projects that have the potential of generating stormwater pollution.
Construction Site Runoff Control	Review site inspection program	Review site inspection program Provide training regarding the site inspection program		January 2004	Ongoing. The City has begun and is continuing a program to monitor compliance with permit conditions regarding erosion control and site SWPP. The training program needed to be strengthened through more formalized and regular training. This regular training was started in 2007. One such training session was held with 29 City staff participants on 10/29/08. This year the City has relied on inspection of permitted construction sites. At present two individuals assisted on occasion by four others in the City may perform site inspections. The four other work primarily with City projects.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					One City staff member that conducts site inspections attended a 16-hour Erosion Control Coordinator Training Course presented by Arizona General Contractors and ADOT in Nov. 2008. Two City staff members attended and participated in monthly SWPP meetings hosted by ADOT in relation to the SR 179 Project. Per comments made regarding the revised 2007 Annual Report in ADEQ September 5, 2008, letter, it is being clarified that the City's Commercial and Residential Inspection policy required that active commercial developments be inspected on a weekly basis while single family residential developments are inspected intermittently. Approx. 330 site inspections were conducted during this reporting period (this was a combination of commercial and residential sites). Beginning July 2009, documentation of the weekly inspections of commercial development project sites is being carried out through email correspondence between the inspectors and their supervisor.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Runoff Control	Develop a notification procedure to inform offending parties of discharge violations to respond and correct such discharge violations.	City staff will establish notification guidelines for violators of the City Codes related to stormwater runoff.		Jan. 2004	Ongoing. The City continues to monitor ongoing construction projects. The procedure followed is a verbal warning, written notice to correct, and if necessary take action to stop construction, deny occupancy, or file charges. At this time, verbal and a written notice has secured correction. In correspondence dated June 2008, ADEQ requested that the City report the number of warning and written notices provided. Previously this has not been closely tracked. The City has begun doing so. Our records show 9 written notices in FY 08/09 all of which were satisfactorily resolved. The number of verbal warnings is not known (we typically try to avoid verbal warnings by using email so that we have a written record); however, if an issue was not timely resolved a written warning is sent. The city estimates that it conducted about 330 site inspections in FY 08/09.
Post – Construction Runoff Control	Review current City Ordinance	City staff will review all current City ordinances related to long-term drainage and erosion control		July 2004	Completed and ongoing. The City has reviewed Land Development and City Code provisions for changes. As other deficiencies appear, additional changes will be made. As previously stated, changes have been made to Section 8 of the Land Development Code, and

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					Sections 7 and 14 of the City Code. In February 2009, it was discovered that a local Jeep Tour Company at 210 N. SR 89A was washing Jeeps on-site and allowing the wash water to run off-site. Through a letter to the business owner and coordination with his contractor, they installed vehicle-washing facilities with silt basins and oil/water separators at three business locations in Sedona. All three of these facilities were also connected to the City sanitary sewer as part of the projects. In June 2009, the City took a proactive measure with the McDonald's Restaurant property by notifying them that the stormwater from their building and parking area runs directly into the MS4. As a BMP, they installed a first-flush retention basin for their runoff.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Post – Construction Runoff Control	Review current City Ordinance	City staff will train building inspectors to identify violations of our compliance with the Stormwater Ordinance's design criteria.		April 2006	The ending date was missed, although the City did pursue this goal. The adoption of the storm water ordinance needed to precede this effort. The intent was to start this in 2008 as part of the in-house training. The first such training occurred on 11/20/07, with 20 City staff participants. On 10/29/08, training sessions were held with 29 City staff participants including the Chief Building Inspector. All participants of these trainings took tests and signed a signup sheet.
Post – Construction Runoff Control	Investigate development of a site inspection program	The City will investigate a site inspection program that institutes maintenance requirement for structural and non-structural BMP's for long-term soil stabilization and water quality improvement.		Dec. 2006	Not started in this reporting period. This was partially accomplished in preparing a Stormwater Ordinance to be presented to the City Council in November 2007. Public Works staff did request an Environmental Inspector in the FY 08/09 budget, The position was approved, and recruitment started in August 2008. However, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position was not filled. Letters were written to the existing businesses of Hyatt Pinon Point,

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					Sedona Rouge Hotel & Restaurant, and McDonald's regarding post-construction runoff control. All three of these businesses addressed our concerns and provided a written SWPP Maintenance Plan.
Post – Construction Runoff Control	Investigate development of a site inspection program	The City will investigate how enforcement actions will be taken on those who violate the City ordinance in accordance with the City's ordinance enforcement code.		Dec. 2006	Not started in this reporting period. Development of an ordinance to be presented to the City Council in November 2007 did include such an investigation. Actions were taken to make people aware of the ordinance as part the process. The ordinance is posted on the City web page. Efforts were planned to intensify in FY 08/09 with the hiring of an Environmental Inspector. However, due to budget constraints, the Environmental Inspector position was not filled. Existing City staff are being utilized in this effort. The letter dated 12/31/2008, which was mailed to 158 local contractors provided information regarding the City Stormwater Ordinance (attached).
Post – Construction Runoff Control	Use of structural BMPs for long-term	City staff will identify and incorporate into plan review		Jul. 2004	Ongoing. Staff still needs to identify the preferred structural BMPs. Some progress has been made on this goal through development of the

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	drainage and erosion control	guidelines preferred structural BMP's designed for long-term drainage and erosion control to be used for SWPPP.			updated stormwater management plan (August 2007) as required by ADEQ letter dated June 6, 2008. We require oil/water separators or first flush retention for new parking lots. Stornwater detention is required on projects that will increase runoff by more than one CFS. This detention has the effect of reducing potential erosion. We also require a Post Construction BMP Maintenance Plan on many commercial projects.
Pollution Prevention/Good Housekeeping	Educate City Employees on the Stormwater Program	City Engineer to meet with other City Department heads to discuss the program and assist them in implementing the program.		Feb. 2004	This is an ongoing task: One City staff member that conducts site inspections attended a 16-hour Erosion Control Coordinator Training Course presented by Arizona General Contractors and ADOT in Nov. 2008. On 10/29/08, training sessions were held with 29 City staff participants. All participants of these trainings took tests and signed a signup sheet.
Pollution Prevention/Good Housekeeping	Review existing City operation and maintenance	Department Heads will meet annually with their staff to review and		February 2004	This is ongoing. The City is developing comprehensive criteria regarding the use of fertilizers, herbicides, pesticides, and other chemicals in an effort to

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	programs to determine how to meet the objectives of the Stormwater Management Program.	improve existing operation and maintenance programs in their units aimed at incorporating the objectives of the SWMP. Department heads will provide update reports to the City Engineer on their programs			reduce impact on the environment. The City Engineer is working to involve other departments in this aspect of the program by reminding them of the need to inform their staff of the need to reduce stormwater pollution. Again, on 10/29/08, training sessions were held with 29 City staff participants. No annual reports are currently being received from other departments. The Public Works Department, which includes engineering, streets and storm drainage maintenance, and wastewater prepares this report. The City has approved sweeping of City parking lots in the FY 08/09 budget. The City owned parking lots at City Hall, Uptown Sedona, Sunset Park, and Posse Grounds Park were swept by a mechanical vacuum type street sweeper in May and June of 2009. All City maintained streets with curb & gutter were swept in Sept. 2008 and March 2009. Reporting forms were prepared in FY 2008/09. Billing receipts for street and parking lot sweeping are used for records.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
					In May of 2009, the City installed oil/water separators in three stormwater inlets in the City Hall parking lot, at three catch basins on Forest Road, and at Wayside Chapel. The cost for the equipment alone was $10,549. As part of the SR 179 Project, the City has worked with ADOT to ensure the installation of high capacity oil/water separators to treat runoff collected between curb & gutter for the portions of the roadway that drain to the Oak Creek Bridge and Morgan Wash.
Pollution Prevention/Good Housekeeping	Develop a SWPP for every CIP	Develop a SWPP for every CIP	Project Managers will ensure that a SWPPP is developed for every CIP of the City.	January 2003	Ongoing. The City has this as a standard part of its specifications for CIP. We continue to improve the specification as necessary. During FY 08/09, the City CIP program included the following projects within the City: The Chapel Sewer project, the Three Major Pump Stations Project, Phase II of the SR 179 Project (utility relocations), the Wastewater Berm Project at the treatment plant, and several small sewer rehabilitation projects. Each of these projects were required to have a Storm Water Pollution Prevention Plan.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	New or Revised	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Pollution Prevention/Good Housekeeping	In-house inspection program	The City will implement an inspection program aimed at enforcing the current operations and maintenance programs. The program will include inspection of parking areas for oil and grease runoff.		Oct. 2004	Not started formally. Vehicle inspections are being done, but inspection of parking areas for oil and grease runoff has not been implemented. This is to be an ongoing program. The program needs to be formalized so that parking area inspections are conducted. No steps were taken to formalize an oil/grease inspection program for the parking lot. However, City owned parking lots are swept on a regular basis, and oil/water separators were installed in the stormwater inlets at the City Hall parking lot.
City Implementation	Investigate Staff Resource needs	Review six control measures and identify staff and resource requirements. Recommend program funding annually		January 2004	This is an ongoing task: The City has created a budget classification for storm water items in the FY 05/06 budget. Public Works staff made another request for an Environmental Inspector in the FY 08/09 budget, and the position was approved by City Council. Although, due to budget constraints associated with the unanticipated economic conditions, the Environmental Inspector position has not been filled.

					The City has appropriated funds for sweeping City Park and City Hall parking lots.

Note: If you have developed a stormwater ordinance during the last reporting period, include a description or citation of the ordinance, or simply attach a copy of the ordinance.

D. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Charles Mosley
Signature

12/14/2009
Date

Charles Mosley
Name (printed)

City Engineer / Public Works Director
Title

INSTRUCTIONS

Regulated Municipal Separate Storm Sewer Systems (MS4s) must submit annual reports to Arizona Department of Environmental Quality (ADEQ) for each year of the permit term. In compliance with the MS4 General Permit, an MS4 must annually review its Stormwater Management Program (SWMP) in conjunction with the preparation of the annual report. This document is a suggested format for annual reporting.

Submit a signed copy of your annual report no later than September 30 of each year to:

Arizona Department of Environmental Quality
Surface Water Section/ Stormwater & General Permits Unit (5415A-1)
1110 West Washington Street
Phoenix, AZ 85007

A. General Information

Provide the name of the municipality or owner/operator of the storm sewer system.
Provide the name, telephone number, and email address for the stormwater program contact person.

Place a check mark in the box corresponding to the current annual report year.

B. SWMP Modifications and Additional Information

1. **Changes have been made or are proposed to the SWMP**. Modifications to the SWMP must be addressed in the annual report in accordance with Part V.E. and Part V.G. of the Permit. If ADEQ notified you during this reporting period that changes to your SWMP were necessary, you must check "yes" to this question.

   Be sure to provide the following information in the attached explanation:
   a. Describe changes made to best management practices (BMPs), measurable goals, dates, contacts, procedures or details during the last reporting period.
   b. If changes include additions or substitutions of BMPs, please indicate this. Include a written analysis explaining why the original BMP is ineffective or infeasible and why the replacement BMP is expected to achieve the goals of the original BMP.

2. **The MS4 has annexed lands**. Attach a description (or map) indicating the annexed area, the BMPs to be implemented, and any resulting updates to the SWMP.

3. **A water is listed as impaired**. ADEQ has completed Arizona's 2004 List of Impaired Waters which is significantly different from the 2002 List. Since the list has been updated, you may discover that your MS4's receiving water(s) is now

listed as impaired. Please determine if your receiving water(s) has been assessed as impaired. The 2004 List of Impaired Waters has been posted on ADEQ's web site at http://www.azdeq.gov/environ/water/assessment/assess.html

a. If your MS4 discharges directly to an impaired water, you must amend your SWMP to control the discharge of listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards. The SWMP must also identify BMPs to control discharges and include monitoring of their effectiveness (Permit Part I.D.5.b and Permit Part V.F.1). Attach a copy of this section of the SWMP to the annual report.

b. If you locate an impaired water within 10 miles of your jurisdiction, you must identify the sources of pollutants of concern to that water and evaluate the likelihood of your MS4's discharge contributing to the water's impairment. Attach a brief explanation to the annual report.

4. **A TMDL has been established**. A Total Maximum Daily Load (TMDL) is the maximum amount (load) of a water quality parameter which can be carried by a surface water, on a daily basis, without causing an exceedance of surface water quality standards. A list of the established TMDLs for impaired waters is located on ADEQ's web site at: http://www.azdeq.gov/environ/water/assessment/status.html.

   a. If your MS4 discharges directly to water for which a TMDL has been established:
      i. and the TMDL includes a wasteload allocation or load allocation for your MS4, you must amend your SWMP to describe what BMPs you will use to meet the allocation(s) and to describe the monitoring program associated with the pollutant of concern. Include a description and schedule for implementation of additional BMPs to ensure compliance with the TMDL. You must also attach to a description of the SWMP amendment to the annual report.
      ii. but the TMDL did not allocate a load or wasteload to the MS4, attach a statement stating so to your annual report.

   b. If a TMDL has been established within 10 miles of your jurisdiction and does not include an allocation for your MS4, you must evaluate the likelihood of your discharge contributing to that water's impairment. Attach a brief explanation to your annual report.

5. **The MS4 conducted analytical monitoring of stormwater quality**. Attach to the annual report any monitoring data used to evaluate the success of the SWMP to reducing pollutants to the maximum extent practicable. The summary should include a discussion of results. Data collection must follow the requirements of Permit Part V.F and Part VI.K.

6. **The MS4 is relying on another government entity to satisfy some of the permit obligations**. If you are relying on another entity to satisfy permit obligations, attach a statement to the annual report identifying the entity and the elements the entity will be implementing. A description of the agreement or written documentation of the agreement must be included in the SWMP.

C. Stormwater Management Program Status

Each MS4 is required to evaluate compliance with permit requirements and assess the appropriateness of the BMPs in reducing the discharge of pollutants to the maximum extent practicable. The purpose of the annual report is to report the status of compliance with permit conditions, specifically the implementation of selected BMPs and the progress towards achieving the measurable goals for each BMP.

Using the table format provided on page 2 and following the example on page 6 of this document, summarize the status of all BMPs specified in your SWMP, as follows:

Minimum Control Measure(s): Specify the minimum control measure (MCM) addressed by each BMP. The six MCMs are listed in Part V.B. of the permit. Some BMPs may address more than one MCM.

BMP: List ALL of the BMPs specified in your SWMP, including any new BMPs. BMPs are the specific, long-term activities and practices that will be implemented to prevent or reduce stormwater pollution from the MS4. Examples include stormwater public service announcements, MS4 outfall inspections, and construction site plan review.

Note: If you have developed a stormwater ordinance during the last reporting period, include a description or citation of the ordinance, or simply attach a copy of the ordinance.

Measurable Goals: List ALL measurable goals in your SWMP, including any new measurable goals. Measurable goals are the ongoing tasks and interim steps that demonstrate progress toward implementing a specific BMP. They are used to measure the effectiveness of your SWMP and compliance with the permit. Each BMP must include specific measurable goals. For instance, the measurable goals for the BMP "establishing a stormwater web page" might include "researching stormwater pollution prevention materials", "drafting web page text", "designing web page layout", and "distributing final draft for approval". Upon implementation, additional measurable goals that track progress of the BMP may include "annual review and update of the web page" and "tracking the number of "hits" to the web site".

New or Revised: Place an X in this column if the BMP or measurable goal is new or revised, such as replacement with another BMP, addition of a new measurable goal, or revision of a start date, etc. Briefly explain the change to the SWMP in the "Implementation Status" column.

Start Date: Specify the scheduled start date (month and year) for each measurable goal.

Implementation Status: Indicate the implementation status (such as completed, in progress, or not started) of each measurable goal as of June 30 of this reporting cycle. If an activity is completed, indicate the achievement date. If an activity is in progress, provide the expected achievement date. If an activity has not yet been started, indicate the expected achievement dates. In addition, use this column to briefly explain the frequency of on-going BMPs.

The following table is an example of the type of information to be provided in the annual report:

EXAMPLE

Minimum Control Measure(s)	**BMP**	**Measurable Goal (steps to measure progress)**	**New or Revised**	**Start Date**	**Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)**
Pollution Prevention/Good Housekeeping for Municipal Oper.	Train all public works and streets staff	Approx. 20 staff trained annually. Staff educated on good housekeeping/ pollution prevention and upcoming stormwater ordinance		April 2004	In progress, annual training every April.
Illicit Discharge Detection and Elimination	Perform field screening of outfalls	Completed storm sewer system map includes all outfalls and names and locations of all waters of the U.S.		January 2005	Completed June 2005.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Researched other municipalities' ordinances	X	July 2004	Completed. Revised start date from March 2004 to July 2004.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Integrated language from model ordinance		September 2004	Completed December 2004.
Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Stormwater ordinance has been drafted		March 2005	In progress. Draft ordinance presented to City Council June 2005. Approval pending, expected completion date July 2005.

D. Certification

The annual report must be signed by either a principal executive officer or ranking elected official, or by a duly authorized representative (refer to Permit Part VI.L).